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PART XVII.

TOCQUEVILLE'S REMAINS.*

EVERY one who values grace of expression, not varnishing vacuity, but setting off thoughts always sensible and often profound, should read the two volumes of Alexis de Tocqueville's letters. M. Gustave de Beaumont, his intimate friend, and his travelling companion in that American tour which furnished the materials for his classical book on Democracy, has prefixed to the letters a biography, short, and maintaining a high-bred reserve, but telling enough to give a clear picture of the man. It shows us Tocqueville not only as a genius, but as a friend capable of feeling, inspiring, and retaining affections both solid and enthusiastic. It would be delightful to dwell on his social and domestic life, but we feel still greater interest in tracing his ideas. We shall therefore only touch upon his character so far as his qualities as a great writer and thinker were founded upon his qualities as a man.

M. de Beaumont has acted on a different view, and has professed such an exclusive devotion to the person of his departed friend, that he is even jealous of letting us know what Tocqueville thought, unless the thinker had likewise given the last polish to his expression. Like a classical revivalist of the Renaissance, he ranks manner so much above matter, style so much over ideas, that he can even bring himself to smother and suppress the posthumous fragments which might have been such advanced starting-points for the fresh discoverer, because they have not all the graces of style

* Memoir, Letters, and Remains of Alexis de Tocqueville. Translated, with large additions. 2 vols. Macmillan.

which their author would have given them if he had lived to publish them. These two volumes would be enough to show how great a loss M. de Beaumont inflicts upon us if he had not told us what the sacrifice is, and why he has decided to make it. The greatest political philosopher of France spent a life in trying to solve the enigma of the French Revolution:—he painted the background of his picture in his book on the *Ancien Régime et la Révolution*, and the chief figures were nearly filled in when he died:

“The second volume was far advanced: Tocqueville wanted only a few months more to finish it. The order of the chapters and the sequence of the ideas was arranged from first to last; some chapters are not mere sketches, they are pictures which have received the artist's last touch; and even where the outlines are not distinct, they are indicated. By collating these precious materials, arranging them, supplying here a few pages, there a few words, it would no doubt be possible to put this second volume into form, and make it over to the natural curiosity of the public. But who would dare to venture on this experiment, especially considering the importance attached by Tocqueville to publishing nothing which was not as nearly perfect as he was able to make it? Often in the margin of the Ms. one sees, in the author's hand, these words: ‘To be reconsidered;’ ‘To be verified.’ Sometimes a single note of interrogation, set against an opinion, expresses marks of the writer's doubt, and suggests a reconsideration. In the presence of so many signs of scruples and fears, who would venture to be bolder than the author himself? who would dare to solve the questions raised, to touch the delicate points, to end the unfinished sentences, to graft another style upon his style, and to inflict the faults and responsibilities of another upon his glorious memory? Such profanation will not be committed. . . . Except a slender portion [two chapters], it is resolved that *nothing* shall ever be published.”

It is not that M. de Beaumont doubts of the truth of the thoughts, but he is repelled by the imperfection of their form, so unworthy, he thinks, of Tocqueville's artistic mind. “Who,” he asks, “would exhibit in a prolix and diluted state thoughts which he only showed when condensed, and which he would have employed his whole skill to compress?” There would have been some point here if Tocqueville only addressed the imagination, not the understanding. In works of imagination and sentiment, style and language are not the dress, but the incarnation of thought, no more to be separated from it than body from soul. But in history and philosophy, style is only the garment, and it is perfect when it enables us to remember the idea without being able to recall the phrase, just as the man is best dressed whose dress is least

noticeable. The gentleman, says Tocqueville, leaves this matter to his tailor. Surely he would have been content to leave the arrangement of his posthumous fragments to his editor. M. de Beaumont's rule would have buried a book in which Tocqueville delighted, the *Pensées* of Pascal; it would have suppressed the extracts which M. de Beaumont (in spite of the author's condemnatory endorsement) prints from Tocqueville's tour in Sicily. Carried into other branches of art, the rule would consign the Athenian fragments of Phidias and the unfinished pictures of Turner to the cellars of the Museum, until the impossible condition of finding an artist competent to restore or complete them was fulfilled. We have no wish to undervalue style and finish; but on the other hand, fragments have also their value, especially such as those of Tocqueville are said to be. In his note-books there are materials for volumes; there are multitudinous extracts from unpublished documents, the discovery of which he counted as half his work; there are notes of travel in Germany and England, which are so many "finished compositions." But he did not print them, so we are never to read them. "If he thought them unworthy, who should venture to publish them, and to offer as finished works what he considered merely as materials for his own use?" Surely, they might be offered as fragments for the use of those who wish to carry on the work that Tocqueville was not allowed to finish.

But M. de Beaumont replies that "Tocqueville could never understand how an author could publish, *unless as a means of adding to his fame.*" Yet there are various kinds of fame. Without adding to his literary renown, his fragments might exhibit him in a new light as a discoverer, a philosopher, or a politician; at any rate they might assist in the search for the useful and the true. M. de Beaumont's feeling on this point seems to be a lingering influence of the old French *salon*, with its tastes for intellectual pleasures, fine literary compositions, and good conversation. This taste gave France the brilliancy and polish which for three hundred years captivated the imagination of Europe, and had thus acquired a practical importance which gave solidity and purpose to a society whose sole apparent object was to amuse and be amused; where politics were seldom talked of, and little thought about; where every new book of any merit was read aloud, and canvassed, and criticised, with an attention and a detail which would now be thought a wretched waste of time; where every considerable country house had its theatre, every family its actors, and where every incident fur-

nished matter for a little poem; whose arts, now lost, were *causer, raconter, and tenir salon*. From this society Tocqueville inherited his aristocratic taste and pure style, and a squeamishness which M. de Beaumont consecrates into an inviolable rule of literary morality. To those who have no experience of this old French society, the rule will seem too arbitrary, too nearly connected with what Tocqueville somewhere calls "the senile imbecility of worn-out aristocracies, reduced to mere drawing-room coteries, from having had the guidance of men and of affairs," to be worthy of much regard. Tocqueville himself advised his friends to disregard it, as when, in 1844, he rebuked M. de Corcelle for wishing a newspaper-writer to be a perfect gentleman; and declared that style and tone were relative qualities, that should vary with the purpose of the speaker, and with his audience. In his own reading he tolerated all styles that did not shroud mere barrenness; he devoured tiresome books if they told him about facts; and he was so keen a reader of other men's notes of travel, that we can hardly think he would have approved of the reserve which suppresses his own. We cannot find that he was particularly chary of his embryo thoughts, except when he hoped, and expected, to work them up into a book; and even then he would on occasion publish them, as in that article in the *Westminster Review* of April 1836, which contains the germs of his volume on the *Ancien Régime*, published in 1856. His unfinished second volume on the Revolution must be at least as complete, in all respects but that of style, as this article was. And M. de Beaumont's distinction between the man as the writer of letters, and the author as the writer of books, seems scarcely applicable to Tocqueville's letters, which are often only fragments of his books. Both in his letters and in his books, his charm is more in his thoughts than in his language. What he writes does not merely play round the fancy, but goes direct to that "inner home of thought," where, as St. Augustine says, truth is no longer Greek or Barbarian, but simple truth, in whatever language it is expressed.

We think that M. de Beaumont's pious fussiness about his friend's literary fame is also connected with a low view of the dignity of history, common to most of us, but especially characteristic of France. The French are great historians, and have put history to more practical uses than most men; yet with them history has hardly yet reached the dignity of a science; it is too often only a collection of political commonplaces and examples to enforce foregone conclusions. They have studied history, not as scientific inquirers, but as

advocates, and so their historical system is not a reflection of facts, but of party spirit. Every revolution in France is fed by historical traditions. Before the revival of literature, Frenchmen were appealing to history in favour of each rival claim, and were collecting its evidences for each adverse pretension. With them the use of historical remembrances is to excite chimerical projects, to engender new dreams. The memory of 1798, when Egypt was conquered by a French army, and described by a French institute, governed the policy of Louis Philippe towards Mehemet Ali; and the Napoleonic idea is a dream founded on a legend.

"[Our] reading of history," said Tocqueville to Mr. Senior, in 1851, "is our bane. If we could forget the past, we might apply a calm impartial judgment to the present. But we are always thinking of precedents. Sometimes we draw them from our own history, sometimes from yours. Sometimes we use this precedent as an example, sometimes as a warning. But as the circumstances under which we apply it always differ materially from those under which it took place, it almost always misleads us. We indicted Louis for conspiracy against the nation, because you had indicted Charles. We substituted Louis Philippe for Charles X., as you had substituted Mary for James. Louis XVI. believed that Charles I. had lost his crown and his life by raising his standard at Edge Hill, so he tried non-resistance. Charles X. saw that his brother's submission was fatal, and had recourse to the ordinances and to his army. Louis Philippe recollected the fate of Charles X., and forbade his troops to act. Thus the pendulum oscillates, and generally oscillates wrong."

Those who take St. Augustine's view of history, that it is no human institution, but God's handwriting upon the tablets of time,* will look upon its misuse as a kind of sacrilege, like mutilating Scripture, or searching for texts to prop up falsehood or injustice. To postpone historical truth to amenities of style, is to them like condemning St. John's Gospel for its barbarisms of language. Such persons will not dare to make history the handmaid of their own ideas, or to give it a mere rhetorical place among the topics of persuasion, but will regard it as the indelible record of the judgment and will of God. They will come to history as to an oracle, not to impose their own ideas upon it, but to receive its unbiased answer. They will study history as the astronomer studies nature, aiming simply at knowing the truth, not going about to prove their own guesses to be true. When they meet a

* *Narratione autem historica cum præterita etiam hominum instituta narrantur, non inter humana instituta ipsa historia numeranda est; quia jam quæ transierunt, nec infecta fieri possunt, in ordine temporum habenda sunt, quorum est conditor et administrator Deus.*

new fact, they will at once ask how it is proved, and whence it arises, without striving to smother it till they have asked what it proves, and whither it will lead them. They will allow no interest to prevail over their love of truth; they will act towards her with the immovable trust of Alexander, who drank off the cup which his friend presented, though a whisperer told him it was poisoned, to show that he could not misdoubt his friend's honesty. The friend of truth may sometimes be called upon to do like deeds of heroism, to dare danger, or to sacrifice dear delusions for her sake. But then he certainly must not enter on the study of history for the sake of an idea which may possibly turn out to be a delusion, and which will certainly make him wish rather to lead history than to follow it; still less for the mere dilettante pleasure of saying pretty things, or uttering sharp remarks.

In old days, all important truths were supposed to be got at either by meditation on first principles or by revelation; history only showed how imperfectly these truths were realised in practice. History, therefore, had to be revised before it could really serve as an example. Facts fell short of the ideal; and the historian who wished to be didactic was obliged to draw on his fancy like the modern novelist. When the historian Varillas was advised that a fact had not happened as he told it, "So much the worse for the fact," he said; "it is much better as it stands in my story." Hence arose an utter carelessness about evidence. "Better believe it than go about to see whether it is true," was a proverb that expressed the current theory of historiography. Vertot received from a friend some documents about a siege; he found he could not use them without rewriting his story, so he sent them back with thanks, saying that his siege was done. These were absurd exaggerations of a practice of which lesser examples may be found in almost every page of Rohrbacher's history, who writes, not to find out what the truth was, but to use what he hopes was the truth for party purposes, to consolidate a preconceived theory. Michaud's History of the Crusades is an uncritical patchwork of the original annals and legends, embroidered with the fancies of Torquato Tasso. Capefigue's history of those wars, in his work on the French kings, promises indeed new views, but is made up of foregone conclusions, occasionally, but only accidentally, verging upon the truth. He hits upon a general idea, an *idée mère*, and out of it he gets a perfect melodrama of deeds, persons, and opinions, of which there is about one true in a hundred false. If such writers know that history is a Divine lesson, they are too impatient to wait for its teaching till the real historical

truth is ascertained, but snatch right and left the first facts or views that suit their purpose, and then fashion them, with dangerous skill, into a specious argument, good for some momentary purpose, but of no value for ascertaining what will be the final award of historical truth. Even so beautiful a book as Montalembert's *Monks of the West*, in spite of the excellence of its execution, fails, for the like fault of design, to attain the dignity of history.

If we believe M. de Beaumont, Tocqueville was a historian of this kind. He never was a man who loved knowledge for its own sake, or who was enthusiastically attached to ideas and theories independently of their application; on the contrary, his speculations had always a practical and definite object; abstract thought was out of his sphere; in all his speculations he considered the past only as it affected the present, and foreign countries only with a view to his own. He describes America with a perpetual silent reference to France, and the French Revolution of 1790 with an eye to the actual state of the country and to the events of his own day. His letters partly confirm this description of the memoir. His enthusiasm for the present left so little room for the past, that he could take no interest in ancient Greek history till Mr. Grote showed him how it could be explained to modern ideas, and be made to speak the language of modern political passions. Aristotle would not conform kindly to this adaptation, and was slighted. Plato was loved not for his metaphysics, which were puerile and antiquated, but for his spirituality, which was as youthful as ever. Tocqueville was quite ignorant of many branches of history—among others, of Christian antiquities: in one of his latest letters he has the simplicity to thank Mr. Reeve for the pleasure he had derived from the superficial article on the Roman Catacombs in the *Edinburgh Review* of January 1859. With such gaps in its horizon, his historical knowledge could never be the touchstone or source of his ideas, but only their instrument or their channel. Properly speaking, he was no historian, though he wrote the best book on a great historical event; his horizon was not wide enough to see things in their whole course from beginning to end, in their flow,—*im Werden*, as the Germans say; but within his limits he was a marvellous observer of every fact that was actually to be found there—of every constant element of the combination he wished to analyse.

He was not inspired by the spirit which works the progress of history; but his ideas welled up within his own soul, and owed their origin partly to his education, but chiefly to his personal character—to a conflict of heart and brain, which

determined both his practice and his philosophy. "Naturally," says his biographer, "he was strongly inclined to be a dreamer; and it was never but by an effort of will that he roused himself from passive impression to active thought." But as his reverie was always gloomy and melancholy, he always fled from it. The central point of stillness in his soul, instead of being a cosy corner inviting him to rest, was a bleak, frozen spot, where he found nothing but doubt, fear, and despondency, the only remedy for which was in the energy of a courageous will. Thus his activity was centrifugal—an effort to escape from that gloomy, melancholy pride, which, agued by fear, might have degenerated into insanity or anarchy of soul, but which, when repressed with unflagging bravery, became the occasion, if not the root, of his greatness.

"One of my firmest opinions," he says, "is, that life has no period of rest; that external, and still more internal, exertion is as necessary in age as in youth—nay, even more necessary. Man is a traveller towards a colder and colder region; and the higher his latitude, the faster ought to be his walk. The great malady of the soul is cold. It must be combated by activity and exertion, by contact with one's fellow creatures and with the business of the world" (vol. i. p. 375). "The only virtue that I really value in man is energy" (vol. i. p. 438). "I love those [human passions] that are good, and I am not quite sure that I hate the bad. They always show strength; and strength, wherever you meet with it, appears with advantage by the side of the weakness which surrounds us" (vol. ii. p. 68).

His energy was thus an internal necessity, not of self-contemplation, which would have made him a metaphysician, but of escaping from a dismal centre of doubt and gloom. This made him a politician, and taught him to regard freedom, which is only the natural atmosphere of energy, as the great remedy for all the ills of man. His life was a worship of liberty, begun in enthusiastic youth, and increasing in fervour throughout a serious manhood; begun, perhaps, in a time of religious indifference, but solemnly ratified after he came to recognise more profoundly the need of an eternal foundation as the solid basis on which life ought to rest; so that when, late in his life, he reviewed his career, he consoled himself with the thought, that if he had to live it over again, he should have no change to make in the bulk of his ideas, sentiments, and actions. "I do not choose," he wrote, in 1836, "to be confounded with those friends of order who are indifferent to freedom and justice, provided they can sleep quietly in their beds" (vol. i. p. 401). And to Madame Swetchine, in 1856: "I still consider liberty as the first of

blessings ; I still see that it is one of the most fertile sources of manly virtues and great actions. No tranquillity and no material comfort can, in my mind, make up for its loss" (vol. ii. p. 320). Liberty, then, was the original *datum* of his philosophy, and the starting-point of all his energies ; and when he viewed the circumstances of his time, and saw, on one hand, the cloud of democracy looming all round the horizon, and, on the other, the growing discord between religiousness and liberty, he saw at once that the two great problems of the day were, how to reconcile freedom with these two great and inevitable forces that were apparently hostile to it. "To show men how in a democracy they may avoid submitting to tyranny or sinking into imbecility, is a sacred calling, in which one must grudge neither one's money, one's time, nor one's life" (vol. i. p. 330). "My object is, to persuade men that respect for law, both human and divine, is the best way to be free ; and that to grant freedom is the best way to insure morality and religion" (vol. i. p. 403). It was to the solution of the first of these problems, the harmony of freedom and democracy, that he principally devoted his literary and political career, but not without bestowing much incidental attention on the second. But his reputation will not be founded on his method of reconciling religion with freedom ; he did not understand the Church, as is plain to every reader of his chapter on the old French clergy, in his *Ancien Régime* : their powerlessness was a mystery to him ; he forgets their religious deficiencies while fixing his eyes on their political and social excellence ; he scarcely notices that they were eaten up with Jansenism, utterly helpless against the literary unbelief, and profoundly divided among themselves. The problem of harmonising democracy with freedom sent him to America, but no more for the object of giving Frenchmen a true account of the American constitution than Solomon sent the sluggard to the ant for the purpose of studying its natural history. It is by supererogation that his picture of American institutions is so accurate. In them he thought he had found the lesson that France required, so it fell in with his design to paint America as it was ; if American democracy had seemed to teach a different lesson, he was too great an observer to have falsified the picture, but he would have let America alone, and either given up his task in despair or sought another mine of examples to illustrate his doctrines. He not only wrote his book, but he investigated with a particular object ; and if his investigations had not appeared to confirm his theories, he would have given up, not his theories, but his investigations. The physical phi-

losopher also interrogates nature on an hypothesis, but he is ready to give up his hypothesis if facts refuse to confirm it. No such consideration would have made Tocqueville give up the idea which was the political object of his book. He would have thrown down his pen, as M. de Beaumont says, but he would have retained his belief.

"I wished to show what in our days a democratic people really was; and by a rigorously accurate picture to produce a double effect on the men of my day. To those who have fancied an ideal democracy, a brilliant and easily realised dream, I endeavoured to show that they had clothed the picture in false colours; that the republican government which they extol, even though it may bestow substantial benefits on a people that can bear it, has none of the elevated features with which their imagination would endow it; and, moreover, that such a government cannot be maintained without certain conditions of intelligence, of private morality, and of religious belief, that we as a nation have not reached, and that we must labour to attain before grasping their political results.

To those for whom the word democracy is synonymous with destruction, anarchy, spoliation, and murder, I have tried to show that under a democratic government the fortunes and the rights of society may be respected, liberty preserved, and religion honoured; that though a republic may develop less than other governments some of the noblest powers of the human mind, it yet has a nobility of its own; and that, after all, it may be God's will to spread a moderate amount of happiness over all men, instead of heaping a large sum upon a few, by allowing only a small minority to approach perfection. I attempted to prove to them that, whatever their opinions might be, deliberation was no longer in their power; that society was tending every day more and more towards equality, and dragging them and every one else along with it; that the only choice lay between two inevitable evils; that the question had ceased to be whether they would have an aristocracy or a democracy, and now lay between a democracy without poetry or elevation indeed, but with order and morality; and an undisciplined and depraved democracy, subject either to sudden frenzies, or to a yoke heavier than has galled mankind since the fall of the Roman Empire.

I wished to diminish the ardour of the republican party, and without disheartening them, to point out their only wise course.

I have endeavoured to abate the claims of the aristocrats, and to make them bend to an irresistible future; so that the impulse in one quarter and resistance in the other being less violent, society may march on peaceably towards the fulfilment of its destiny. This is the dominant idea in the book, an idea which embraces all the others."

His melancholy helped him to his fixed idea of the predestined dominion of democracy, and led him into the delusion

that it tends irresistibly to predominate throughout all history, instead of being only one of several elements in the State, an element which had no place at all in early and undeveloped societies, which the Revolution endeavours to make sole and supreme, and which it is the problem of all time to raise to its proper level and proportion. But it was his energy, his indomitable will, that predetermined him to the conclusion, that liberty must be compatible with democracy, and that forced him to show how the two could be reconciled; if facts were there to prove his conclusion, so much the better; but he would have proved it no less, though America had not been at hand with its ready-made instances for his induction, and though he had foreseen that the United States would fail in solving the problem of reconciling democracy and freedom, by failing to reconcile power with law, the popular will with the duty of the people. Thus his qualities as a writer were based upon his qualities as a man; and, as might be expected in such a person, he soon proved that he was not a mere thinker or publicist, but a man of action, using the press as his instrument.

From 1839 to December 1851, Tocqueville took an active part in the government of France. As deputy, he was in opposition to Louis Philippe's government; but he never accused himself, as Montalembert did, of having thereby contributed to its fall, or to the revolution of 1848, so disastrous to liberty. He was not one of those who, when France was on the high road to happiness, tugged away to make her take a short cut, and so upset the coach; nor, to use a phrase of his own, was he in such a hurry to get to the bottom, that he made her jump out of a window when she was half way down stairs. But after the disaster, he accepted the Republic as the last anchor of liberty, and as the opportunity for putting in practice the speculations of his "Democracy." In July 1849, he became Foreign Secretary under the President; but was turned out the next October, partly through the general policy, which, by dismissing ministry after ministry, made them mere clerks of the President, who thus became his own minister; partly because Tocqueville and his fellows seemed only too successful in proving the compatibility of the Republic with order and good government, and in making it respectable. The usurpation of December 2, 1851, sent him to prison for a few days, and then into private life, almost despairing of his countrymen, whose extreme fear of socialism made them sacrifice liberty to buy the protection of "the saviour of society." He had written and he had worked to prove liberty and the Republic to be compatible; but

Frenchmen would not believe him. *Curavimus Babylonem*, he might say, *et non est sanata; dereliquamus eam, et eamus unusquisque in terram suam*. From this time he despaired of the French masses till a radical moral change should be wrought in them; he stood aloof, and retained scarcely any opinion in common with his contemporaries. "I still love passionately," he wrote, in 1853, "the things to which they have become indifferent, and I have an antipathy which grows stronger and stronger for the things which seem to please them more and more. The whole race seems to have altered: I am like one belonging to the old in the midst of the new."

In this enforced seclusion from affairs, his old gloom returned, deepened by his distress at the aspect of politics. Literature was once more his resource to divert his thoughts from the melancholy that oppressed him. He still devoted his pen to the cause of freedom, and looked about for a subject on which he could write with service to it. This was not so easy now as in 1835. France in ceasing to be free had ceased to be literary, and the classes that still read had no power. He could no longer hope for any immediate political effect from his book; but since ideas ultimately prevail in the most illiterate nations, he thought it might be useful to disseminate them; at least he might draw the attention of the civilised world to himself, and thus indirectly benefit his cause. The subject he at last chose was one that suited this frame of mind, and his treatment of it was almost as penitential as his *Démocratie* had been hopeful. It was a kind of national examination of conscience, to find out why the French Revolution, which had promised so much for liberty in 1789, had, at each successive trial, proved to be more akin to anarchy or despotism than to freedom. He examined it in its causes, in the tendencies which led to it, and in its future consequences; he wished to show how that great event advanced, what was its true character, what were the principal causes which led it in one direction more than in another, which drove it on, which turned it aside, and which stopped it. His object was not to point out the remedy for the evils of France, but only to trace how they had arisen.

"It was not my intention to suggest a remedy for the state into which the *Ancien Régime*, the Republic, and the Empire have thrown our country; . . . my fixed resolution is to stop before I set foot on this ground, to consider it only from afar, and not to try to write a book of temporary interest. But it by no means follows that no clear results are to be drawn from the historical

study on which I am at work—that it is to give only a vague notion of the opinions and sentiments of the author, and to leave the reader uncertain as to the judgments which he ought to form upon facts and upon men ; on the events themselves, on their causes, and as to the lessons which they teach us. It would be strange, considering that I enter upon this work with decided and often enthusiastic preferences, fixed opinions, and a clear and certain object, if I should leave the reader to float rudderless on the sea of my ideas and of his own” (vol. ii. p. 236).

He knew that it was one thing to write history, another to apply it, and that the application should be separated from the making. If history is a teacher, then true history teaches truth, and false history, falsehood ; the first requisite, then, is to find historical truth, the next, to apply it. The two cannot go together ; for the interests of the application must always be stronger than those of truth, and must tend not to make us rule our judgments by history, but warp history to our judgments. Those who could overcome the temptation could never overcome the suspicion of having yielded ; at the best they would countenance the notion that history held but a lower place, and was fit only to strengthen or confute, not to originate or govern, our ideas. Tocqueville, in approaching his historical studies with “decided and enthusiastic preferences, fixed opinions, and a clear and certain object,” was setting a bad example to succeeding historians ; not all preferences are so simple, so pure, and so true as his ; and even if they were, few men would have patience to make themselves learned like him, but, failing this, could easily become dogmatic and positive. Even if they imitated his moderation, we might easily suspect it to be make-believe, and their fairness to be only a skilful partiality. Besides his political objects, he had in all his writings a literary one—to be original ; and that in a way which does not combine well with the scope of the historian, which is to give not the most original, but the most probable, view of the causes and the succession of events. Tocqueville hoped to do so, but on one condition—that the most probable view should be his own.

“When I have a subject to treat, it is almost impossible for me to read what has been already written on it : the contact of the ideas of other men disturbs and affects me painfully. I try, therefore, to avoid knowing the explanations which other writers have given of the facts which I have to relate, or the inferences which they have drawn from them. I make the utmost efforts to ascertain, from contemporary evidence, what really happened ; and often spend great labour in discovering what was ready to my

hand. When I have gathered-in this toilsome harvest, I retire, as it were, into myself; I examine with extreme care, collate, and connect the notions which I have acquired, and I make it a rule to give the result, without bestowing a thought on the inferences which others may draw from what I write. Not that I am indifferent to the opinions of my readers; but because I know from experience that if I were to write with a purpose, in order to support some preconceived system, I should write ill; that my only means of writing well is to state clearly my own personal impressions and opinions" (vol. ii. p. 339).

Tocqueville had no respect for the art which out of three bad books compiles a fourth; and agreed with Drusius that secondhand knowledge is poor capital—*miserè sapit qui tantum ex commentario sapit*. But this does not mean that the original investigator should read no commentaries, or should remain in ignorance of all previous theories on the origin and connexion of the facts he describes. Originality is the badge of the inventor of systems, not of the apostle of truth. There is an old complaint against philosophy, that *leges naturæ opinionones suas fecit*,—once she made her own opinions into laws of nature; now her temptation is to make the laws of nature into private opinions, severally ticketed as the peculiar property of this or that thinker, by right of "originality." Yet the most original writers depend more on memory than they would willingly allow; they all keep a pawnshop in their heads, though, perhaps, the pawns have lost their tickets, and have come to belong, with seeming right, to the actual possessor. Tocqueville, according to M. de Beaumont, even as a politician in the Chambers, would say nothing, however true, unless it was also new; he was not content to persuade, unless he could by the same act add to his literary fame; thus the artist in him strove with the politician and the historian, and somewhat marred his completeness. The feeling, however, was connected with a noble delicacy of mind, which made him at once suppress what he destined for publication when he feared it might interfere with any work of his friends; it was not a coarse love of reputation which moved him, but a refined craving for sympathy. Perhaps he rather exaggerated to himself his own worship of originality; at any rate his note-books contain evidence of "his profound study of every theory connected with" the French Revolution.* Perhaps the feeling was rather a pa-

* *Research* should be original; but a man who refuses to know what others have said before him either goes wrong, or ends by saying what others have said, without knowing it. Judge Story complains that Tocqueville, in his *America*, knowingly says much that others had said before him, and that without acknowledgment. Of his other work, the leading ideas and many

trician affectation, a lingering influence from the literary drawing-rooms of the old aristocracy, than a rule of conduct. It was, however, one of those obvious features which the imitators of great men so easily copy and so surely caricature. M. de Beaumont has caught the infection in a virulent form, and seems to consider it a great part of a great writer's duty to wish to say what he hopes has never been said before.

Our quotations thus far have been chosen with reference to two points,—Tocqueville's method, and his solution of the problem, how to harmonise the power of the masses with liberty: the rest of our quotations will refer to his ideas upon the harmony of religion and liberty. Into this discussion he also entered with fixed notions; he assumed the truth that religion is perfect freedom at least in the individual soul, and therefore that it ought to thrive best in an atmosphere of social and political freedom. Religion and freedom ought to play into each other's hand, "both have in view universal, and on the whole immaterial, blessings; both aim at a certain ideal perfection of the human race, the contemplation of which lifts the mind above the consideration of petty personal interests" (vol. i. p. 360). Religious and political fervour may unite in the same heart, but not the love of liberty and of material comfort; besides, "free institutions are often the natural, and sometimes the indispensable, instruments of religious enthusiasm. Almost every effort made by the moderns towards liberty has been occasioned by the desire to manifest or to defend their religious convictions" (ib.).

But if religion and freedom are thus friendly forces,

"How is it," he asks, "that the Christian religion, which has in so many respects improved individuals and advanced our race, has exercised, especially in the beginning, so little influence over the progress of society? Why is it that, in proportion as men become more humane, more just, more temperate, more chaste, they seem every day more and more indifferent to public virtue; so much so, that the great family of the nation seems more corrupt, more base, and more tottering, while every little individual family is better regulated? . . . This contrast, which strikes us from the beginning of Christianity, between Christian virtues and public virtue, has frequently reappeared. There is nothing which seems so difficult of explanation, when we consider that God, and after Him, His revelation, are the foundations, or rather the sources, of all virtues, the practice of which is necessary in the different states

of the facts had been anticipated in Heinrich von Sybel's *Introduction to the History of the Revolutionary Period*, the first volume of which was printed at Düsseldorf in 1853. ¶ But many of these ideas had been published by Tocqueville in his article in the *Westminster Review* in 1836.

of mankind. This great question ought to be solved" (vol. ii. p. 332).

He considers that this contrast is painfully apparent now. Morality, he says, is divisible into two portions, both equally important in the eyes of God, but not both taught with equal energy by His ministers. One respects private life—the duties of mankind as fathers, children, husbands, and wives. The other respects public life—the duties of every citizen to his country. The clergy, he thinks, care much about the first branch of morality and little about the second, as is clear by the way that women think and feel, who have all personal and domestic virtues,* without a notion of public virtues. He wishes the clergy to instil into the souls of the people that every one belongs much more to his country than to himself; that no one ought to be indifferent towards it, much less, by treating such indifference as a sort of languid virtue, to enervate many of our noblest instincts; that every one is responsible for its fortunes, and is bound to work out its prosperity, and to watch that it be not governed except by respectable, beneficent, and legitimate authorities (vol. ii. pp. 344, 350).

Such was Tocqueville's view of the duties of religion and its ministers towards political freedom. Let us now pass to his views on the manner in which they fulfilled that duty. In vol. ii. p. 9 is a letter to Lord Radnor, reviewing the conduct of the French clergy after Napoleon had reduced them from proprietors to pensioners of the state, and had destroyed the intermediate tribunal which formerly existed between the bishops and the inferior clergy, in hopes that when the latter were subject to the uncontrolled jurisdiction of their prelates, he might easily manage a few bishops, and so become master of all their inferiors. At the Restoration, the clergy remained in the same legal condition:

* To Mr. Senior, Tocqueville did not speak in such complimentary terms of the French women as to Madame Swetchine. The French women, he complained, who under the old monarchy used to encourage their sons to masculine virtues, and who under a despotism ought to have most influence, have lost it all, partly through the vulgarity of the men's passions, partly through their own nullity; they are all built and furnished on exactly the same uninteresting model. Whether she is brought up at home or in a convent, a French girl has the same masters, gets a smattering of the same accomplishments, reads the same dull books, and contributes to society the same little contingent of superficial information; she is simple, pious, retiring, till she marries; then in three months she is one of the fashionable congregation at the one o'clock Mass. In old times a girl came from the convent a sheet of white paper; she caught knowledge and tact and expression from society, with the sagacity, curiosity, and flexibility of French women; now her mind is a paper scribbled over with trash (vol. ii. p. 431).

"But they were allowed an indirect share in the government. The parish-priest, from the weight given to his recommendations, became a sort of political authority. Places were given with more regard to religious opinions than to capacity. . . . The union between Church and State became more and more evident. . . . The archbishops and some of the bishops obtained seats in the House of Peers. The nation was governed, or thought it was governed, by the priests; their influence was felt every where. Then re-appeared what we call in France the Voltairian spirit; the spirit of systematic hostility and sarcasm, directed not only against the ministers of religion, but against religion itself. . . . Under the Empire, the Church took no part in politics; after the Restoration, it became a political party in itself. It joined the most ardent votaries of absolute monarchy, and often declaimed from the pulpit in its favour.

The result was fatal. Almost all the liberal party, that is, the great majority of the nation, became irreligious on political grounds. Impiety was a form of opposition. Excellent men were furious when religion was mentioned; others, notoriously immoral, talked of restoring altars, and of inculcating reverence towards God."

This alliance of the elder branch of the Bourbons with the clergy cost the family its throne, and the Church its popularity. In some of the larger towns, the clergy in 1830 were obliged to disguise themselves; and the Archbishop of Paris, after the burning and pillage of his palace, was forced to hide himself. The new government recognised the Church no longer as the religion of the State, but only as the "religion of the majority," and the priests lost every species of indirect political influence. The consequences were soon manifest.

"As soon as the clergy lost their political power, and it was perceived that they were more liable to be persecuted than favoured by the government, the animosity which had pursued them began to diminish, though not all at once nor every where; . . . the reaction which was to bend the public mind in the direction of religion had already begun. . . . Most of the liberals, whose irreligious opinions formerly placed them foremost in the ranks of the opposition, now hold a different language. All acknowledge the political utility of religion, and deplore the general want of faith; but the greatest change is observable among the young men. Since religion has been separated from politics, a faith, vague as to its objects, but powerful in its effects, is developing itself among them. The necessity of a religion is a frequent theme of their conversation. Many believe; all would like to believe. This feeling makes them crowd into the churches whenever there is a celebrated preacher."

This was written in 1835. It is not inconsistent with Tocqueville's complaints of twenty years later, about the clergy never inculcating the public and political duties of morality. What he blamed them for in 1835 was taking the absolutist side—making themselves a political party; what he blamed them for in 1855 was not for abstaining from taking part either with the Republicans or Royalists, but for neglecting to instil the love of public virtue into their flocks. Still he seems in 1835 to have had a feeling against “political parsons,” as the Americans call them, which he no longer entertained after he had studied the great and honourable part played by the French clergy under the *ancien régime*. In 1843 he wrote to M. de Corcelle, who appears to have been his Mentor in ecclesiastical politics, to express his regret that the clergy had abandoned the path they followed with such success in 1830.

“One of my dreams, my chief dream when I entered public life, was to endeavour to reconcile the liberal party to the religious party; modern society to the Church. This reconciliation, essential both to liberty and to public morality, is now difficult; their relative positions, which, immediately after the revolution of July, were uncertain, are now fixed; and it would take years to bring us back to where we were three years ago. . . . I am filled with regret, and also with irritation, against the authors of all this evil. I am angry with the vanity and passions of some of the opponents of the clergy; but I own that I am also indignant against the other party. When I think of the state of public opinion and of the press, scarcely three years ago, in religious matters, and of what it now is, I cannot avoid seeing that the clergy must have been guilty of enormous errors. Violent personal abuse and exaggerated accusations have injured an excellent cause. Instead of supporting for others, and claiming for themselves, the right of teaching, they have exhibited a desire to influence, if not to direct, all popular education.”

The clergy, he says, cannot have a monopoly of any kind of freedom; they must share the same rights that others enjoy. If they wish liberty of teaching for themselves, they must claim it for others also. He clearly thought that the line taken by the *Univers* and its powerful faction, in the debates upon education, was fatal to the harmony of religion and freedom. But whatever errors the clergy had made in their relations with the liberal party, the revolution of February 1848 gave an unexpected opportunity of correcting. The new state of things was at first decidedly in favour of the Church. There was a general reaction in favour of religion, till the greater part of the clergy committed the gross

error of supposing that this reaction depended on a single man, and so sacrificed liberty to their particular interest in promoting him to the supreme power. However the results of this step may have disappointed those who took it, they would have caused no surprise to the man who wrote thus to M. de Corcelle, in September 1851.

“The reaction in favour of belief, and of those who profess to be believers, which we have witnessed since the Republic, can have astonished only those who do not reflect. It has not depended, and will not depend, on the influence of any one man, or even of any particular government; for the most striking characteristic of the times is the powerlessness both of men and of governments to direct the course of social or political changes. This reaction has two principal causes: 1. The fear of socialism, which, for the time being, has produced on the middle classes an effect similar to that which the French Revolution formerly produced upon the upper ranks. 2. The having placed the government in the hands of the masses, which, for the moment at least, has restored to the Church and to the landlords an influence which they have not enjoyed for sixty years, and which, in fact, even sixty years ago they had ceased to possess; for at that time their influence was merely a light reflected from that of the government—now they receive it from the spontaneous feelings of the people. As long as these two great causes prevail, the effect which we rejoice in will continue, unless enormous blunders are committed by the clergy, and still more by their friends.

My opinion, which, unfortunately, is not that of most of our religious men, is that no government of any description can ever propagate religion in France. They who are so clamorous for the despotic interference of the government in these matters, or even for any considerable interference on its part, commit a serious error. A strong and absolute government may interfere in other things with advantage, but not in this. Of this I am as sure as it is possible to be. . . . Whoever may be elected President, no serious or lasting religious reaction will ever take place, except as the result of the inward working of society left to itself. It will spring from individual experience of the necessity of a faith, of the daily need of it and of its special ministers, felt by all, either to remedy the moral evils of the age, or to resist its political diseases. The direct action of the government, instead of forwarding, will only impede this movement.”

The clergy committed the usual French fault of considering only the formal distribution of power without minding its moral basis; the support which, on this view, they gave to the usurper of the 2d of December, though it proved Tocqueville to be a true prophet, nevertheless filled him with the bitterest grief, almost with despair (vol. ii.

p. 238). In contrast with the conduct of the French clergy, he admired that of the Germans, of whom he wrote to Corcelle, from Bonn, in 1854.

"I hear on all sides that there is a revival of religious feeling in all the different forms professed by Germany. I am intimate here with some of the Catholic professors: they affirm that Catholicism exhibits more vitality than it has done for the last hundred years; and this they attribute to the liberty which, in spite of some petty annoyances, it substantially enjoys; and above all, to its separation from the State—a separation all the more complete in that the sovereign is a Protestant. The most eminent of these professors said to me the other day, 'The French clergy seem to me to be entering upon a dangerous path, one which fills us with anxiety. How is it that they do not see that in these days we derive our strength from independence of the temporal power, and not from the always precarious, often dangerous, always invidious, support of that power? Let your priests visit us, and they will see how we congratulate ourselves on our condition. Now, when abandoned to itself, and assisted only by freedom, Catholicism has regained its vigour. I assure you,' he added, 'that if I could at once incline the temporal power in our favour, and destroy the rivalry of the Protestants, I should, in the interest of our religion, refuse to do so'" (vol. ii. p. 271).

England in 1857 presented to his eyes a still more consoling spectacle than Germany in 1854:

"I enjoyed in England what I have long been deprived of—a union between the religious and the political world, between public and private virtue, between religion and liberty. I heard the members of every denomination advocate free institutions, as necessary not only to the welfare, but to the morality of society. Never on any occasion did I see what prevails on the Continent; the moral monstrosity of pious men applauding despotism, leaving to infidels the cause of liberty."

M. de Corcelle hereupon reproached him with disparaging Catholics in comparison with Protestants. Tocqueville replied, that his phrase "Christians of all denominations" was meant to include Catholics.

"In fact I never met with an English Catholic, who did not value, as much as any Protestant, the free institutions of his country, or who divided morality into two sections, one consisting of public virtues, which may be safely neglected, the other of private duties, which alone need be observed. No Catholic, lay or clerical, thought this. I did not compare the religions, but the countries. I said only that I breathed freely in a country where liberty and religion were united. And I said truly; for from my youth the spectacle of their disunion has oppressed my soul. I said this more than twenty years ago in the introduction to my *Dé-*

mocratie. I feel it now as I did in youth. It is the thought most constantly in my mind."

After declaring that the French liberals console themselves for the loss of liberty by boasting their unlimited license of attacking the Church, he asks :

"What do our clergy, who delight in political neutrality and apathy, say to this? I venture to predict that in our days it will not be found safe to withdraw the human mind from political action. As soon as it ceases to act, it theorises most dangerously. The German school, pretending not to care for politics, so undermined the foundations of society, that all the German governments, unsupported by principles or habits capable of resistance, fell at one moment and under one blow."

These extracts show that, however clearly Tocqueville stated the problem of religion and liberty, he did little to solve it; indeed it can be only solved practically by the conduct of religious men themselves, just as the problem of democracy and liberty can be only solved by the masses. Perhaps his most instructive fragment on the practical solution of the problem is his conversation with Senior in 1851, concerning the French intervention at Rome in 1849, which he, as Foreign Minister, had to conduct.

There were three motives for this intervention: the maintenance of French influence in Italy, the restoration of the Pope, and the introduction of liberal institutions into Rome. The first object was not attained so entirely as it might have been, if the Romans had known the sacrifices which France made in order not to injure their historical monuments.

"The Cardinals at Gaeta during the siege were always contrasting our slow proceedings with the vigour with which the Austrians reduced Bologna. They did not, in so many words, require us to bombard Rome; but to obey them, and bring the siege to an end rapidly, that is what we must have done. If any other of the Catholic powers* had undertaken to settle the Roman affair, the town would have been reduced in a week, by destroying, perhaps, a third of it. From the time that Oudinot entered Rome in July, till we were turned out of office at the end of October, the whole object of my correspondence was to induce the Pope to grant liberal institutions to his people. I considered this as the most important of the three objects of the expedition."

The right to demand this of the Pope is grounded on the general right of all powers who restore a dispossessed

* Tocqueville was wrong here. If the Austrians had marched on Rome, there would have been no regular defence: the Roman Republicans resisted the French republican arms because they relied on a disturbance in Paris.

sovereign to demand a security against new revolutions; they cannot be expected to keep up a permanent police, or to live under the continual risk of having to bear the cost of a new intervention. And this security ought, in the interests of the subjects to whom the sovereign is restored, to consist in liberal institutions; they have a right to demand of the restoring powers that the restoration shall be conditional upon the establishment and continuance of good government. No one has a right to impose upon a people a particular *régime* in the interests of his religion, or of his belief in legitimacy, unless he also guarantees them their freedom in their own interests. The greater the external guarantee of stability enjoyed by the sovereign, the greater should also be the external guarantee of liberty enjoyed by the people. Hence Tocqueville, in demanding the submission of the Romans to the Pope, rightly also demanded of the Pope certain concessions in their favour. He founded his right against the Roman people

“on the ground that France is the first Catholic power; that the spiritual authority of the Pope is essential to the welfare of the Catholic world; and that some degree of temporal power is necessary for the permanent exercise of his spiritual power. On these grounds, what *appear* to be the domestic affairs of Rome, and *would* be its affairs if the Pope was at Avignon, have always been a matter in which the rest of Europe, Protestant as well as Catholic, has thought itself justified in interfering.”

The concessions demanded by Tocqueville were five: 1. a renewed recognition of the principle of liberty and security; 2. a new organisation of the Roman courts of justice; 3. a civil code, resembling that of Piedmont, or of Naples; 4. elective municipal councils, having power not only to advise, but to legislate in matters of taxation; 5. the secularisation of the public administration.

“Of these five requisitions, the two last were of course the most material. As respects the Roman people, the substitution of a lay for a clerical administration was the most urgent of all the reforms. Their hatred against their ecclesiastical rulers is indescribable. It is such that the Pope can retain them only while his capital is occupied by foreign troops; the instant that we go, unless the Austrians take our place, there will be a new revolution, which will sweep away every clerical functionary. I believe that when we made these demands, many of them were hopeless; though I thought it my duty to urge all of them as earnestly as if I expected to gain my point.

One of the grounds on which the President dismissed us was our not obtaining greater concessions from the Pope; but directly

we were gone, he himself, or at least his ministers, gave up every thing. His vanity was satisfied with having insulted the Pope by his letter to Ney, and with having insulted the Chamber by turning out a ministry without consulting it; and his interest in the affairs of Rome was then over.

If the Pope had continued obstinate, we should have refused to sanction by our presence what we could not prevent. My intention was, in that event, to draw up a protest, stating all that we had asked on behalf of the Roman people; the grounds on which we had asked it; and the manner in which it had been refused or eluded; to present it to the Pope, to publish it in the *Moniteur*; and to withdraw our troops from Rome, leaving this appeal to Europe and to posterity."

We have seen Tocqueville, like a genuine Frenchman, to whom the *moi* is always supreme, entering upon his studies, not for the sake of science, but for his own sake; and therefore always displaying a character which remembered personal dignity before it remembered the interests of truth. Hence his worship of style and of originality—not only of that true originality, that spontaneous flow of artistic creation, as different from the artificial affectation of having something to say, as is the endeavour to be eminent among the able, which makes a man a public benefactor, from the plotting to be the only figure among ciphers—but of that false originality which is a mere affectation of novelty, which disdains the true unless it is also new, and which ends by leading a man either to say what is false, or simply to repeat, without knowledge or acknowledgment, what his predecessors have said before him. We have seen him preserved from falsehood, not only by his sense of honour and his conscience, but by his wonderful powers of observation, which were far beyond his powers of reasoning. It was this power of observation which made him so sure a prophet of what was impending, while he was so uncertain in his speculations upon a more distant future; his letters furnish many instances similar to his famous prophecy of the revolution of February 1848, which he made in January. And they furnish also instances analogous to the great delusion of his book on America, which is, his belief that throughout all history democracy has manifested an irresistible tendency towards a predestinated predominance. Thus, with a true patrician hatred of republicanism, he nevertheless adopted it as a fatalistic creed, and resolutely set himself to love, not republicanism as it confronted him in France, but an ideal republicanism which he thought he found over the Atlantic, where distance lent to the view an enchantment which a year's scamper over the United

States was not enough to dispel. Thus his very love for democracy separated him from the French democrats, who, in their profession of freedom, only exaggerate the worst evils of the old *régime*—the absolutism of the State and the absence of self-government. Forced, almost against his will, by a mistake arising from a scanty historical induction, to adopt a false creed, he tried to be its reformer, and was naturally treated by its real followers as a heretic; for his explanation of his political belief was a mere protest against all that inspires its holders in all the Latin countries of modern Europe. So far from democracy being the sole element in the State, as the Revolution would have it to be, in history it does not show itself even as the predominant element. Here is one of Tocqueville's errors. Another is, that in his pedigree of freedom he not only omits one of the factors, but he inverts the order of succession. Of the three great factors of freedom,—the corporation, the state, and the individual,—he omits the first entirely, and treats corporate freedom sometimes as political, sometimes as personal; and instead of making freedom the last blossom and fruit of the harmony of corporate, political, and individual liberty, he makes personal freedom the original *datum*,—the centre from which all political movement originated, instead of the result and the aim to which it tends.

And here we must take our leave of Tocqueville; for the longer we go on, the more there remains to say. The multitudinous subjects which he introduces, his boldness and breadth of view in discussing them, and the suggestive value of his thoughts, open up to the reader of his letters new paths and new horizons at every step.

THE COMMISSION ON EDUCATION, AND THE REVISED CODE.

THE elaborate inquiry of the Royal Commission on Education resulted in a series of recommendations, covering the whole field of elementary instruction, from the great charitable societies of the country to ragged, industrial, and reformatory schools. Neither were the schools maintained by the State for the army and navy, nor the parliamentary system of half-time in factories and print-works, passed unnoticed; but it was to schools for the independent poor, as affected

by the grants and inspection of the Government, that the Commission principally devoted its attention. We propose to confine ourselves to the same branch of the subject ; not that army and navy schools, industrial institutions for neglected children, and the useful application of charitable endowments, are matters of small moment,—far from it,—but because the public mind has for the moment concentrated its notice upon the Government system and the Revised Code of Regulations.

The various sections of Protestant opinion combine with wonderful unanimity in condemning the proposed changes, which the official representatives of the National and Church-of-England Education Societies, of the British and Foreign, and Home and Colonial School Societies, and of the Wesleyan Education Committee, deem calculated to introduce into elementary schools a lower class of teachers, and to degrade the instruction in the schools. Harmony so unwonted proves the censure expressed in such grave terms to rest upon arguments of cogency ; while the circumstance that the agreement of the leaders of religious parties has not been found irresistible demonstrates the existence of a widespread impression that their arguments, though weighty, are inconclusive, and that possibly the interests of the nation lie apart from the wishes of the promoters of education.

Catholics alone have not as yet taken a prominent part in the discussion. In a free state, however, it would seem incumbent upon every considerable section of the community to give form and expression to its own views on any public question closely touching its interests ; and therefore, without pretension to lead or settle, we do not shrink from a frank consideration of recent controversies on popular education.

In forming a just estimate of measures which it is now proposed to supersede, we must look back to the period when Government afforded no assistance towards the instruction of the people. A brief retrospect carries us to the time when England was absolutely destitute of public schools for the labouring classes. It was in 1781 that a Gloucester publisher, named Raikes, opened the first Sunday-school ; and fifteen years later Joseph Lancaster introduced to public notice the monitorial system, and founded many schools for the education of children by their schoolfellows. Lancaster, however, was a dissenter ; and the credit of his discovery was disputed on the part of the Established Church by Dr. Andrew Bell, who, in the Madras Orphan School, had, as early as 1792, employed a boy of eight years of age to teach a class of

children to write the alphabet in sand, and who upon his return to this country, where dignities and wealth awaited him, established in 1811 the National School Society. To the honour thus disputed between the Established Church and the Society of Friends, English Catholics can lay no claim. Penal laws effectually excluded them from the promotion of popular education, and we believe there are but ten Catholic schools in the country founded earlier than 1801. It was, however, neither Bell nor Lancaster who in truth devised the monitorial method of teaching, but a Catholic ecclesiastic of France, who preceded them both by a century. In 1679 the Venerable Jean Baptiste de la Salle, canon of the cathedral church of Rheims, instituted the society of Brethren of the Christian Schools, who, in 1785, were already teaching 30,000 children. He it was who, in his Manual, first laid down a plan for the division and subdivision of the school-work by means of monitors, and he is in truth the earliest inventor of the mutual system, which, though discarded in France and generally discredited, still prevails in the Brothers' schools throughout England and Ireland. De la Salle founded his institute, as Pope Benedict XIII. in the Bull of Confirmation recites, "*piè considerans innumera quæ ex ignorantia, omnium origine malorum, proveniunt scandala, præsertim in illis, qui, vel egestate oppressi, vel fabрили operi unde vitam eliciant operam dantes, quarumvis scientiarum humanarum, ex defectu æris impendendi, non solum penitus rudes, sed, quod magis dolendum est, elementa religionis Christianæ persæpè ignorant.*"

In England during the eighteenth century, ignorance, *omnium origo malorum*, was little dreaded. Less than 3000 schools of all kinds existed in 1800. The bulk of these institutions were endowed, and comparatively few were maintained by the religious zeal or charity of the living. The people were left to ignorance. "*Hoc fonte derivata clades in patriam populumque fluxit.*" Sir James Shuttleworth thus describes the people of that time: "In the pauperised counties they were in a state resembling helotry. The labourers were bound to their parish by a strict law of settlement. They were largely dependent on the poor-rate. There were few or no schools. The population was ignorant and demoralised; it had the craft of the pauper, or of the pensioner on parochial doles, of the poacher and the squatter on the common—but not the manly bearing of the independent labourer. Wages varied from 7s. a week in Dorsetshire and some parts of Suffolk, to 10s. a week in other counties. The manufacturing and mining districts had been peopled in fifty years

with a vast population gathered from these pauper counties,—from wolds, moors, fens, and from the wild desolate hills and glens of the Border and of Wales. The villages, and even the towns, were rude, irregular; to a great extent unsewered and unpaved,—without proper water-supply or police. Entire districts were without church or school, and religious teaching was supplied by voluntary agencies, while education was given almost solely in scattered Sunday-schools.”

In 1832 the British Government first attempted to apply a remedy to evils so enormous, by taking a vote of 20,000*l.* to be administered by the Treasury, for the promotion of popular education. Religious animosity extinguished the hope of complete measures. The public mind was indifferent or hostile; and of the few who promoted schools, the majority were actuated by a desire to swell particular congregations, rather than to rear better men and more useful citizens. From 1832 to 1839 the sum of 20,000*l.* annually granted by Parliament was expended by the Treasury in erecting school-buildings on applications presented through the two great educational societies, the National, and the British and Foreign. In the appropriation of money through such channels Catholics were unlikely to participate. Slowly, and here and there, they undertook from their own resources the difficult task of establishing elementary schools; and between the beginning of the century and 1831, fifty-two institutions of the class appear to have been opened.

In 1839 the parliamentary grant for education was raised to 30,000*l.*, and its administration intrusted to a special committee of the Privy Council appointed for the purpose. Frustrated in its attempt to originate a normal school free from the control of the dominant Church, the Committee of Council recognised, in the adoption of denominational agency, the only feasible plan of combating the ignorance of the people. They continued, therefore, for several years to spend the grant, as the Treasury had done, in promoting school-building; and they also aided the erection and maintenance of normal colleges under the religious societies, which in those early days were little better than large central schools, where teachers from a distance might, in a few weeks' residence, pick up the mechanical contrivances of the monitorial method. Meantime inspectors were employed to examine the condition and wants of particular districts; and their reports demonstrated the imperative necessity of providing a better class of masters and a more complete system of training. The organisation of Dutch schools was thought to afford a

model peculiarly suitable for imitation. In other parts of the Continent, where education has received attention, the proportion of pupils to a master is strictly limited ; so that many small rooms, and an equal number of capable teachers, are required for the instruction of a mass of children ; but in Holland a master of intelligence and attainments is able, by means of assistants, called pupil-teachers, to instruct in one room 500 or 600 scholars. The peculiarities of this system appeared appropriate to England, where the children were numerous and ignorant, the schools already provided mostly large, and efficient teachers extremely few. Accordingly, in the Minutes of 1846, the Committee of Council offered to pay for five years the salary of pupil-teachers to be apprenticed to the master, and moreover to furnish the apprentices, at the expiration of their service, with exhibitions equivalent to free support in a training college. When duly trained, they were to be examined and classified ; and, according to success in the examination, were to receive Government augmentations of salary during service in elementary schools. Building-grants were continued, and even increased in amount ; and at a later date the Privy Council undertook, under the name of Capitation Grant, to subscribe towards the school-expenses 5s. or 6s. a head for every child who had attended the school 176 days in the course of the preceding year. Grants were also made for the purchase of books and apparatus, and for the support of industrial classes.

Such has been the system of grants into which the Royal Commission was appointed to inquire. The Government contributed towards the erection of the school sometimes as much as one-half of the total cost ; it aided the purchase of books and maps ; it subscribed towards the current expenses, in proportion to the number and regularity of the scholars ; it increased the master's salary ; it wholly paid his assistants, for whom also it provided Queen's scholarships and training colleges, in order that they in turn might fit themselves to become masters of schools similarly supported. Between 1839 and 1861 more than 5,000,000*l.* has been drawn for these purposes from the national treasury. Building colleges and schools has in round numbers absorbed 1,250,000*l.* ; salaries of masters and mistresses, 500,000*l.* ; pupil-teachers, 1,750,000*l.* ; capitation grants, 250,000*l.* ; support of training colleges, 500,000*l.* ; books and apparatus, 50,000*l.* ; industrial schools, 100,000*l.* ; inspection and administration, 500,000*l.*

Previous to an inquiry into the judgment of the Com-

mission upon this gigantic outlay, it will be desirable to examine the share in it obtained by Catholics. Until 1849 Catholics obtained nothing whatever. Parliament had already devoted 630,000*l.* to school purposes, and chiefly to the erection of schools, which had been wholly absorbed by Protestants. In 1849 Catholics began to receive a small share in the grants given towards the annual expenses of schools; but difficulty in settling the trust-deed of aided schools, aggravated by the anti-Papal excitement of 1851, excluded them from a participation in building-grants until 1852; and even after a satisfactory arrangement had been made, the effects of a prolonged and ill-understood discussion naturally disinclined the promoters of new schools to seek assistance from the parliamentary fund. Thus it happened that the country was every where dotted with state-erected Protestant schools before any Catholic schools had obtained building-grants. And the same with training colleges. Nineteen Protestant institutions existed in 1846, ready at once to avail themselves of the Government endowment of scholarships; while, until 1855 no provision had been made for the training of Catholic Queen's scholars. Catholics, then, may be truly affirmed, through no fault of their own, to be ten years behind their Protestant fellow-countrymen in this matter of education grants; and although out of 5,000,000*l.* expended they have now obtained 166,000*l.*, yet while maintaining five per cent of the schools, they have received but three per cent of the money; and the changes, if changes must now be made in the system, will for them arrive ten years too soon.

The changes proposed emanate from two sources,—the Royal Commission and the Committee of Privy Council. The first class are embodied in the Report of the Commissioners; the second are set forth in the Revised Code of Minutes. The grave defects of the existing system are alleged by the Commissioners to consist in its tendency to indefinite expense; its inability to assist the poorer districts; the partial inadequacy of its teaching; and the complicated business which encumbers the central office of the Committee of Council. The Commissioners, though avowing that a large expenditure, if well applied, is rather a necessity of a state system than in itself an evil, yet shrink from an annual outlay of 2,100,000*l.*, with a possible extension to the enormous sum of 5,000,000*l.*, for an object the benefits of which they declare to be in great measure local. Since the grant is administered under a code of general rules, and as every parish, however apathetic, has within it property

capable of meeting the educational wants of its population, the Commissioners consider it unjust, and practically impossible, to relax conditions in favour of poorer schools, which therefore, as long as non-resident proprietors neglect their duty, must remain without the stimulus and support of Government assistance. They affirm, too, that elementary subjects are imperfectly taught in aided schools, and that three-fourths of the scholars, after leaving school, forget every thing they have learnt there. Into the trials and perils of the central office it is needless to pursue the Commissioners; for if the country and parliament desire to make education universal, and will provide the necessary funds, ample accommodation and an able staff will surely be available.

These defects are necessarily aggravated by the denominational system. Important as the maintenance of this system is, it is impossible not to see that by multiplying schools and teachers, it wastes both private and public funds; that by distributing the inspection in one locality among various officers, it deprives the Privy Council of complete and accurate information regarding places truly destitute; and that by the same process, it destroys uniformity of standard every where, and while promoting rivalry and pretension in competing schools, discourages the dry but fundamental work of teaching elements to junior classes. But the country happily will not abandon the denominational subdivision of schools, and no proposal in such a direction is even possible at present; though the acquiescence in the inspection of reformatory and industrial schools of all creeds by the same officer, leads us to fear that the hostility formerly expressed was one rather of feeling than of principle,—one that may yield to the influences of time and money. Neither the Commissioners nor the Privy Council propose a change here. The managers of a great majority of schools would object, they justly think, to being placed under an inspector or examiner of a different communion from their own; and for similar reasons they do not propose to disturb the existing regulations on the appointment of inspectors, which are considered of importance by the different religious communities, and are not used in an illiberal spirit. Not that the managers really have what they imagine in the matter of examiners; for the officers of the Privy Council bearing that name are all university men belonging to the Established Church; and, as far as inspectors are employed to revise examination-papers, the division, we understand, is made by subjects, and not by denominations. The Commissioners

could not agree in recommending the abolition of the distinction between members of the Establishment and others. The majority, indeed, thought that the rule should be made uniform for all denominations alike; but, in deference to the different opinion of the minority, they abstained from making any recommendation.

Thus, maintaining the denominational arrangements intact, even where they might be reformed without sacrifice of the principle, and leaving the erection of new schools to be aided as before, the Commissioners recommended that the existing forms of annual grants to primary schools should be abolished, and their places supplied by a duplicate system of aid, which they, but no one else, regarded as simple and feasible. One stream of public money was to be drawn from the Privy Council on the recommendation of the Queen's inspector, while the county or borough rate was to supply a subsidiary rivulet directed by county-magistrates and certificated examiners. The proposal of a rate ruined the scheme. No ministry would dream of submitting it to the House of Commons, and the organs of public opinion unanimously pronounced it impracticable.

The Commissioners give it as their opinion that the country is not committed to the maintenance of any existing grants. The class of persons most deeply interested in disputing this decision is composed of certificated teachers, who have not been slow to raise their voices against the threatened breach of faith. The Commissioners plead that teachers have really no moral right to the continuance of their augmentation grants; because the present system is supported by sums voted annually, and not by a permanent charge on the Consolidated Fund; because it has grown up by degrees amidst changes and discussions; because the arrangement to augment the teacher's salary holds as between the State and the managers, and not between the State and the teachers, being for the benefit of the school, and not for the benefit of the teachers; and, because the average emoluments of certificated masters exceed the amount contemplated when augmentations were proposed. The teachers, on the other hand, urge that, in reliance on State grants, they have selected their profession, have devoted many years to preparation, have spent labour and money in passing examinations, have always received their augmentation in post-office orders made payable to themselves and not to their managers, and have believed, amidst all proposals of change and improvement, that their position during good service was guaranteed to them by the

inviolable faith of the British nation. Some have gone so far as to maintain the existence of a legal contract binding on the Government. But this ground appears untenable; and, however anxious we may feel that expectations excited by the Government should be honourably met, still it must be allowed that the schoolmaster will expose himself to ridicule and contempt by striving to support his legal claim against the opinion of Sir John Coleridge and the other Commissioners.

Pupil-teachers already apprenticed occupy a safer position. For the residue of their respective terms of service the State is plainly bound to provide their stipends, or to make satisfactory arrangements for their release. Even in this case the obligation is moral, since the indentures are unstamped, and the Privy Council is not a party to them. To repudiate their claim, however, would be a course too disgraceful for a moment's contemplation; and for five years the Government will be obliged to maintain to some extent one of the present modes of annual aid.

With this exception, the Royal Commission recommend that all existing grants should be abolished, and superseded by other plans of assistance; and the Revised Code proposes to carry the recommendation into effect. It may be well, then, to consider, in reference to each form of grant, the peculiar objections to which it is liable.

The most unexceptionable form of aid is perhaps to promote the erection of new buildings. The expenditure of national treasure here produces tangible results, which can be seen and measured. The results, too, are as permanent as brick and mortar can make them, and they lie at the foundation of improvement. A room to teach in would seem the groundwork of a school. The million of money contributed for this purpose by the State, in combination with two and a quarter millions from private subscriptions, has created accommodation for 694,069 children, in 5410 places.

This accommodation is enough for about one-fourth of the whole number of children of school age, and remains a monument of the success of the system under consideration. Not even building grants, however, escape animadversion. Schools have not invariably been built on the best sites. Sometimes they are too near to other schools, sometimes too large for the population, sometimes with rooms too numerous to be kept open. Nor have the plans of aided schools been always appropriate. Architects commit extravagances; and in many cases schools built with Government assistance

possess finer exteriors than the corresponding church or chapel. Wealth often designs and places schools for the gratification of its own taste rather than for the benefit of poor children. The Government, deriving all its information from local promoters, cannot prevent mistakes, and in the valuation of school-sites and other matters it is liable to be deceived by excessive estimates. Nevertheless, the erection of so many handsome schools within twenty years must be considered an achievement splendid in itself, and full of promise for future generations.

The building of thirty-two training colleges, generally aided by grants, deserves equal praise. These colleges have reared a very large number of certificated teachers, of whom eight thousand are known to be actually conducting primary schools. In a word, they furnish the teaching power of the country. So impressed were the Commissioners with the importance of training colleges, that, although the contributions of the State form at present seventy-six per cent of their annual income, and, with greater success in examinations, may hereafter yield the whole of it, yet they do not recommend any reduction in the amount or forms of aid, and after a minute critical investigation of the system pursued in them, leave the subject in the hands of the Committee of Council. Mr. Marshall, indeed, in his evidence somewhat over-estimates the rate of aid to colleges. (1376.) "What is the proportion of the aid furnished by Government to the training schools as compared with the whole expense?—The whole. There could not be any training colleges in the kingdom without that aid. There may be a certain class of students who pay for themselves. (1377.) When you say 'in the kingdom,' do you include Protestant colleges?—I have very little personal knowledge of those, but my impression is, that very many of those who are there have been pupil-teachers. With us the teachers have no salaries at all. The building at Hammersmith has been erected partly by the aid of the Government, and partly by voluntary contributions. At Liverpool and St. Leonard's the training schools were erected at the sole cost of the communities who direct them. We have an immense mass of teachers whose aid is given gratuitously,* which tells

* Is the statement exact, that Catholics have an immense mass of religious teachers whose aid is "given gratuitously," whose "time and labours are given absolutely gratis"? Is there reason why it should be so? That nuns do not teach *for the sake* of salary is true; but that they almost every where receive either salary, or an equivalent in school-fees, is, we believe, equally certain. Nuns must be fed and clothed, and nursed when sick, and maintained in old age. Active orders commonly admit postulants with little or no

upon the training schools, and also upon the industrial schools." Mr. Allies writes to the same effect. "The Privy-Council grant has not only helped to build our male training college, but its annual grants largely support it. Our female training school at Liverpool was built at the sole expense of the religious Sisterhood of Notre Dame, which directs it, and that of St. Leonard's at the sole expense of the Sisters of the Holy Child; but these religious orders were moved to this great act of charity by the knowledge that the Privy Council would grant scholarships and exhibitions to pupil-teachers and others who should be put under their care. Their own time and labour are given absolutely gratis; but the Government annual grant, supplemented by a small allowance from the Catholic Poor-school Committee, is sufficient to defray the expenses of the training schools."

If it be true that the Government grant defrays all, or nearly all, the expenses of these institutions, then it would seem that the first principle of the State system has been openly violated. The basis on which the Committee of Council rests its plan is, to originate nothing, but to contribute proportionate aid towards approved measures initiated by societies or individuals, and thus to share the burdens of education by participating in the expense. As Catholics, we rejoice to see the training colleges, which are our only lay colleges, so easily and respectably maintained; but, as Englishmen and tax-payers, we can hardly hold it to be fair that the State should bear the burden alone. Teachers for the upper and middle classes are not trained. This immense advantage is confined to the teachers of the poor, and by them alone the art of method is systematically cultivated. Hence trained teachers become, as Mr. Marshall testifies, "the most valuable class for recruiting religious communities," and are even appreciated at Oscott, Sedgley Park, and Old Hall Green; while the children of higher rank often fall into incompetent or defiled hands. "I have continually to examine mistresses," says Mr. Tufnell, "who have come from the higher schools, and who sometimes have been governesses in superior families. Though my dowry. They must, then, live on the proceeds of their work, just as a priest does, or a bishop. The arrangement is perfectly honourable, and sanctioned by the highest authority. But to declare publicly that time and labour in teaching are given "absolutely gratis" by nuns who every day exact payment from scholars, and no one of whom ever yet declined her augmentation of salary from Government, or her allowance for instructing apprentices, is to place religious ladies in a false position, and needlessly to expose their conduct to malicious comment. The services of teaching orders are intrinsically valuable, and do not need the inflation of hollow pretences.

amination is very slight, and I do not put any other questions sometimes, excepting in the Bible and in arithmetic, their knowledge is so surprisingly small, that they could not pass as good an examination as a pupil-teacher in the second year: frequently they cannot spell; frequently they know nothing of the Bible; and they are ignorant of every principle of arithmetic. Sometimes I ask them what they do know; and then I find it is a little crochet-work, and a little playing on the piano, a little French and a little Italian, and a little of accomplishments of that sort; and these women have often been governesses in superior families, and very often in private schools. I have sometimes been the means of dismissing a master from a school; sometimes from gross ignorance, and sometimes from gross immorality; and in some cases I have been curious to find out what has become of them. In almost every case I have found they have become ushers in gentlemen's schools; they are too bad for pauper-schools; they cannot enter any pauper-school in the kingdom, because the Poor-Law Board taboo them; but they have gone into gentlemen's schools."

Lamentable as it is, this is a matter in which gentlemen must be left to take care of themselves, unless they are prepared to see the public instruction of all classes alike made into an administrative department of the State, under a Napoleonic *bureau de l'esprit publique*. The best way, perhaps, for our politicians to teach the middle and upper classes the practical lesson of the utility of training for their own schoolmasters, is to induce them personally to take an interest in the established training colleges for primary teachers. If men of wealth and position could be brought to subscribe for the support of training colleges for poor-school teachers, they might in time come to reflect upon the advantages of securing an equal education for the teachers of their own children. Any how, the upper classes should remember, that if they leave the State to pay the whole cost of these institutions out of the national treasury, they will not be able to resist its claim to appoint the professors, settle the discipline, and fix the course of studies.

The payment of augmentations of salary to school-teachers, and the system of examinations on which it is based, may be criticised in several particulars. Free training and the promise of augmented salary are unaccompanied by any covenant on the teacher's part to render educational service. In Catholic Belgium, normalists in return for their training pledge themselves to serve the public as primary teachers for at least five years; and within that

period young schoolmistresses are forbidden to marry or to enter religion. In England no pledge has been asked. Then, again, the division of teachers into classes, according to the amount of literary attainment exhibited in an examination, useful, no doubt, as a stimulus to exertion during the period of training, becomes unreal and even baneful when maintained throughout life. That a schoolmaster, because at twenty years of age he has passed one brilliant examination, should, for teaching the rudiments to a score of stupid rustics, continue, year by year, to draw from the coffers of the State an augmentation of 30*l.*, while his neighbour of the third class, a born teacher, receives but half the amount for zealous, self-sacrificing, and successful toil, in a town school of two hundred boys, would seem as unjust to the public as to the masters. The issue of parchment certificates may also end in embarrassment, when their number, in lapse of time and with change of inspectors, grows too large for identification. Like annuitants, certificated teachers may be expected to enjoy long lives.

With unanimous consent, the most successful of existing educational plans is considered to be the apprenticeship of pupil-teachers. Catholics share the opinion, but with less reason than others, since with us success has not attended the apprenticeship of boys; but Mr. Allies attributes "whatever improvement has taken place to zealous coöperation with the Privy-Council system." In investigating the cause of partial failure, Mr. Marshall lays great stress upon the inadequacy of a stipend which averages 15*l.* a year. (1366.) "My own experience is this," he says; "that when you propose to a parent that you will pay his boy 10*l.* at the end of the twelve months, conditionally upon his making certain progress, he laughs in your face; he thinks it is not a serious proposition, and I confess that I wish it was not a serious one; because they can earn very much more, and be paid weekly, without any conditions whatsoever, except the due performance of their work. I have no doubt that the small amount paid to the pupil-teachers has been most injurious to us." Inadequacy of pay, however, can scarcely be accepted as an explanation of the failure of Catholic male apprentices; for, since our people are more indigent than others, the pay to them, small though it be, would possess comparatively a higher value; and finding fewer openings for their sons, they would offer them more freely as pupil-teachers. Especially might this be expected to happen among Irish parents, whose preference for intellectual work is well established. It is not so much the small pay of

the boy during apprenticeship, as the position of the schoolmaster, which keeps clever promising lads out of the profession. Low salaries, irksome relations towards managers, no career, hopeless old age or premature death, form small attractions towards the schoolmaster's calling. The Protestant master in all respects meets better treatment; and so the sons of decent Protestant families are every where willing to accept the stipend of a pupil-teacher, with the view of becoming schoolmasters. If the system has failed to attract Catholic boys, it is in the internal condition of our own body, rather than in the inadequacy of Government pay, that the explanation will be found. Some of the objections most frequently alleged against the pupil-teacher system have already been noticed. The stipend is small, is paid after a whole year's service, and is then conditional upon success in an examination, and on managers' testimonials. The pay, moreover, is uniform throughout Great Britain; the same in the Highlands of Scotland or mountains of Wales as in the busiest haunts of London and Manchester. Girls earn as much as boys, and—gravest objection of all—the remuneration comes wholly from Government. Managers nominate; the State pays.

Of all Government grants, capitation appears the least defensible. It directly partakes of the nature of a bribe, and induces managers to put schools under inspection, not for the improvement of education, but in the hope of profit. It resembles the vicious plan of drawing children to school by offers of food and clothing. That, after contributing half the cost of building a school, paying the third of the master's salary and the whole of the assistants' stipends, and furnishing books and maps, the State should subscribe to every school in the ratio of attendance,—that is, in inverse proportion to the wants of the school,—betokens an extravagance which would go far to warrant the suspicion that Government has some sinister end in subsidising schools, and may be thwarted by rejection of its offers. Thus managers are sometimes betrayed into the absurd attitude of threatening to withdraw their schools, because they cannot believe the education of children to be an adequate motive of extraordinary liberality. Capitation granted on attendance is mainly earned by two classes which least deserve assistance. Both the elder children attending regularly from respectable homes, and the youngest infants sent to school as to a public nursery, merely to be out of the way, ought to defray their full share of the school's cost; yet it is these very children for whom the State pays capitation.

Again, it is the small school whose support creates difficulty and demands sacrifices, yet it is the large school which procures the liberal grants; and there can be little doubt that many flourishing institutions, which are, or might easily be made, self-supporting, wastefully expend 40% or 50% a year supplied by the nation.

Grants towards the purchase of books and maps are useful, especially in new schools; and the list of educational works circulated by the Privy Council has brought the best series into general notice. Complaints, however, arise. An Evangelical clergyman, of more piety than information, buys, deluded by the title, the books of the Christian Brothers, and, shuddering to find them Popish, deafens the Privy Council with his outcry. A Catholic priest chooses from the list a Protestant history, and then appeals to his Bishop against the calumnies propagated by Government authority in Catholic schools. The booksellers complain that the list, however extended, keeps new and improved works out of the market. No general system is pursued. In one school, books are furnished, without charge, for the children's use; in another, they are sold at reduced price; in a third, they are sold at a profit; from a fourth, they pass into the hands of the public; many remain in the managers' library; some have even been seen in the pawnbroker's shop.

Of grants for industrial schools little need be said. Industry is not schooling, nor should the education-grant be confounded with the poor's rate. In dealing with such institutions, the State must take care that it does not lessen the employment of the industrious independent poor, and thus deprive honest families of bread. To escape abuse, industrial schools must be under stricter control than the occasional visit of an inspector.

The Minute of the Committee of the Privy Council on Education, establishing a Revised Code of Regulations, sets aside as impracticable the Commissioners' proposal to raise public aid for schools by means of county and borough rates, and, relying upon an enlarged staff of managers for the increase of local interest, merges all existing classes of casual grants into a payment of so much per child to those who undertake the responsibility of supporting and conducting the school. Thus, at one stroke, are abolished, with all their merits and abuses, grants for books and apparatus, direct payments to teachers certified and apprenticed, and special grants for drawing and industrial work.

Substituted for all the old forms of annual grants is a capitation to the managers, calculated per scholar at the rate

of one penny for every attendance, after the first one hundred at morning or afternoon school, and after the first twelve at the evening school. A child who attends less than one hundred mornings or afternoons entitles the school to nothing. But all the children for whom any grant is claimed will be examined individually in reading, writing, and arithmetic, according to age; and failure in any one subject will forfeit one-third of the allowance. A child who can neither read, write, nor cipher gains no capitation, although he may have been present at every meeting of the school. The grant thus calculated upon the regular scholars who display certain rudimentary attainments is, moreover, liable to forfeiture or reduction. It will be wholly forfeited if the building be bad, the teacher uncertified, the girls uninstructed in plain needlework, the registers inaccurate, any grievous objection alleged by the inspector, or if there be not at least three managers to receive the public money. It will be reduced by not less than one-tenth, or more than one-half, upon the inspector's report, for faults of instruction or discipline, for want of repairs, or of furniture, books, and apparatus. Besides this, 10*l.* will be deducted for every thirty scholars, after the first fifty, for whose instruction a pupil-teacher is not employed; and further, the grant will be cut down if it should exceed the amount of school fee and subscriptions, or the rate of 15*s.* per scholar in average attendance. The grant, whatever be the amount, will be payable only at the end of the school year. Meantime, the managers will be legally bound by agreement to pay the pupil-teachers weekly, and they will make their own bargains with any other assistants, as well as with the certificated masters and mistresses. In return for more ample authority over the school and teachers, the managers will be required to bear a larger share in the risk.

Opinions upon the working of the new system must be speculative and uncertain; but the best authorities compute that, in comparison with former grants, the Revised Code will effect a reduction of about two-fifths in the amount of aid. What is certain is, that, during the first year of the new plan, school-managers must advance about 300,000*l.* hitherto supplied by Government, and must bear the risk of losing an indeterminate portion of this large amount. The annual grants in 1860 paid to English Catholic schools were six times larger than the income of the Catholic Poor-school Committee; and such a sum as 25,000*l.* could only be raised among us at the cost of prodigious exertion and consequent prostration. Hearty efforts might, how-

ever, be made to meet new demands. Local zeal might be stimulated, and interest in schools diffused. Once at work, the new system might be healthier and of better augury than an enervating reliance on public money.

The Revised Code is said to rest upon the principle of paying for results. Some fallacy, however, lurks in the argument, since the new Code pays for time as well as for attainment. If a boy's reading be a "result," then it should be paid for, even though acquired in fewer than one hundred school attendances. Judging by "results," the master who works quickest works best, and deserves highest pay; whereas, by the Code, the longer a result is in being produced, the more must be paid for it. The principle of the new system would seem to be not so much to pay for results in attainment, as to pay for regularity of attendance combined with proof that school-time has not been quite lost. A boy, by attending regularly the same school from three years of age to twelve, may earn for it 15s. a year. Another boy, moving from school to school, may never earn a grant at all. Both may, when twelve years old, be able to read a short paragraph in a newspaper, may write from dictation, and work a sum in practice. The "results" in the two cases are identical; yet for one the State will have paid 6*l.* 15s.; for the other, nothing. The only fair test of a school is the condition of the scholars who pass regularly and studiously through it. To pretend to qualify lads of any capacity to leave at any age from any class, would be farcical. The first class must contain the most advanced boys, and receive the largest share of attention. It is paradoxical to judge a school by its youngest or stupidest scholars. The interest of the State, no doubt, demands that the mass of children should acquire the elements of knowledge, rather than that the few should obtain the benefit of an advanced education. But the attempt to reduce numbers of boys to a dead level, unphilosophical and opposed to providential arrangements, would extinguish in the breasts of all of them the desire to learn, and would effectually destroy intellectual results.

In dealing with training colleges, the new Code adopts a policy which must prove disastrous, if not fatal. Upon the machinery for moulding teachers depends the success of education. The Commissioners, with all their love of economy, recommend the uncurtailed maintenance of grants to training colleges. But the Code cuts them down in such a way as to sacrifice the efficient to the inefficient institutions; for it abolishes twenty per cent of the Queen's scholarships, and admits a number equal to four-fifths of the accommodation.

Thus, a college which has failed to attain reputation enough to fill its dormitories may draw as large a grant as before, while the full and flourishing establishment will lose one-fifth of its support. Again, the experience of many years, acquired under various conditions and among different sects, shows that a training of two years is absolutely necessary for the formation of character in the young and undisciplined teachers; and therefore pains have hitherto been taken to secure a two years' residence. The Code innovates on this settled plan, and by offering no advantage whatever to the student of two years' training, will practically reduce the training to one year, and undermine the system and results of the colleges. With regard to sex, moreover, no distinction is made between male and female teachers; and since a master's school is more costly than one under a schoolmistress, the grants being exactly the same in either case, the consequence will be, to commit the vast majority of children, boys as well as girls, to the hands of female teachers of only one year's training. Nor is this the worst; for pupil-teachers without any training at all may be certified under the Code for immediate service in schools of eighty children or less; and these young persons, being the lowest and cheapest, may perhaps become the most popular, of teachers.

And here arises a hardship of peculiar incidence. The general preference displayed by Catholics for Religious as teachers spreads throughout the kingdom with the multiplication of Communities, and their willingness to teach mixed schools of boys and girls. Mr. Marshall, indeed, declares that (1399) "we have such a very large number now of religious communities in England, that the tendency is to confine the instruction of girls, as far as Catholics are concerned, exclusively to Religious, and I have no doubt that that will be the result. Already there are very large towns in which there is not a single secular Catholic teacher, and I see distinctly that the time is coming when there will be no secular teachers." We think that, for some time to come, schools of a hundred children and upwards will probably, one after another, be placed in charge of nuns. Meantime schools of eighty children, and under, will have been intrusted to the cheap untrained apprentices; and no sphere will remain open to the trained students from our admirable colleges, excepting the slender number of institutions too small for Religious- and too large for pupil-teachers. Thus Liverpool and St. Leonard's, having destroyed Hammersmith, will themselves succumb before untrained teachers, religious

and secular ; and the whole system of the training colleges, elaborated by such zealous ability, and capable of such grand results, will be finally and irretrievably ruined.

Whatever may come of discussions in Parliament,—whatever parts of the Revised Code may ultimately be adopted,—the interests of primary education imperatively require that the training colleges should be sustained, since by no other means can the country be supplied with teachers of known character and ascertained efficiency. The Lord President is reported lately to have visited the Liverpool College. What he saw on that occasion—and further investigation would show very much more of solid excellence—will indispose him to damage so flourishing and useful an institution, and to sacrifice the valuable class to which it belongs, for the simplification of the Privy-Council Office.

MR. GOLDWIN SMITH'S IRISH HISTORY.*

WHEN Macaulay republished his Essays from the *Edinburgh Review*, he had already commenced the great work by which his name will be remembered ; and he had the prudence to exclude from the collection his early paper on the art of historical writing. In the maturity of his powers, he was rightly unwilling to bring into notice the theories of his youth. At a time when he was about to claim a place among the first historians, it would have been injudicious to remind men of the manner in which he had described the objects of his emulation or of his rivalry—how in his judgment the speeches of Thucydides violate the decencies of fiction, and give to his book something of the character of the Chinese pleasure-grounds, whilst his political observations are very superficial,—how Polybius has no other merit than that of a faithful narrator of facts,—and how in the nineteenth century, from the practice of distorting narrative in conformity with theory, “history proper is disappearing.” But in that essay, although the judgments are puerile, the ideal at which the writer afterwards aimed is distinctly drawn, and his own character is prefigured in the description of the author of a history of England as it ought to be, who “gives to truth those attractions which have been

* *Irish History and Irish Character.* By Goldwin Smith. Parker, 1861.

usurped by fiction," "intersperses the details which are the charm of historical romances," and "reclaims those materials which the novelist has appropriated."

Mr. Goldwin Smith, like Macaulay, has written on the study of history, and he has been a keen critic of other historians before becoming one himself. It is a bold thing for a man to bring theory so near to execution, and, amidst dispute on his principles and resentment at his criticism, to give an opportunity of testing his theories by his own practice, and of applying his own canons to his performance. It reminds us of the professor of Cologne, who wrote the best Latin poem of modern times as a model for his pupils; and of the author of an attack on Dryden's *Virgil*, who is styled by Pope the "fairest of critics," "because," says Johnson, "he exhibited his own version to be compared with that which he condemned." The work in which the professor of history and critic of historians teaches by example is not unworthy of his theory, whilst some of its defects may be explained by it.

The point which most closely connects Mr. Goldwin Smith's previous writings with his *Irish History* is his vindication of a moral code against those who identify moral with physical laws, who consider the outward regularity with which actions are done to be the inward reason why they must be done, and who conceive that all laws are opposed to freedom. In his opposition to this materialism, he goes in one respect too far, in another not far enough. On the one hand, whilst defending liberty and morality, he has not sufficient perception of the spiritual element; and on the other, he seems to fear that it would be a concession to his antagonists to dwell on the constant laws by which nature asserts herself, and on the regularity with which like causes produce like effects. Yet it is on the observation of these laws that political, social, and economical science rest; and it is by the knowledge of them that a scientific historian is guided in grouping his matter. In this he differs from the artist, whose principle of arrangement is drawn from himself, not from external nature; and from the annalist, who has no arrangement, since he sees, not the connexion, but the succession of events. Facts are intelligible and instructive,—or, in other words, history exhibits truths as well as facts,—when they are seen not merely as they follow, but as they correspond; not merely as they have happened, but as they are paralleled. The fate of Ireland is to be understood not simply from the light of English and Irish history, but by the general history of other conquests, colonies, dependencies, and

establishments. In this sort of illustration by analogy and contrast Mr. Goldwin Smith is particularly infelicitous.

Nor does Providence gain what science loses by his treatment of history. He rejects materialism, but he confines his view to motives and forces which are purely human. The Catholic Church receives, therefore, very imperfect measure at his hands. Her spiritual character and purpose he cannot discern behind the temporal instruments and appendages of her existence; he confounds authority with influence, devotion with bigotry, power with force of arms, and estimates the vigour and durability of Catholicism by criterions as material as those of the philosophers he has so vehemently and so ably refuted. Most Protestant writers fail in approbation; he fails in appreciation. It is not so much a religious feeling that makes him unjust, as a way of thinking which, in great measure, ignores the supernatural, and therefore precludes a just estimate of religion in general, and of Catholicism in particular. Hence he is unjust rather to the nature than to the actions of the Church. He caricatures more than he libels her. He is much less given to misrepresentation and calumny than Macaulay, but he has a less exalted idea of the history and character of Catholicism. As he underrates what is divine, so he has no very high standard for the actions of men; and he is liberal in admitting extenuating circumstances. Though he never suspends the severity of his moral judgment in consideration of the purpose or the result, yet he is induced by a variety of arguments to mitigate its rigour. In accordance with the theory he has formerly developed, he is constantly sitting in judgment; and he discusses the morality of men and actions far oftener than history, which has very different problems to solve, either requires or tolerates. De Maistre says that in our time compassion is reserved for the guilty. Mr. Goldwin Smith is a merciful judge, whose compassion generally increases in proportion to the greatness of the culprit; and he has a sympathy for what is done in the grand style, which balances his hatred of what is wrongly done.

It would not be fair to judge of an author's notion and powers of research by a hasty and popular production. Mr. Goldwin Smith has collected quite enough information for the purpose for which he has used it, and he has not failed through want of industry. The test of solidity is not the quantity read, but the mode in which the knowledge has been collected and used. Method, not genius, or eloquence, or erudition, makes the historian. He may be discovered most easily by his use of authorities. The first question is,

whether the writer understands the comparative value of sources of information, and has the habit of giving precedence to the most trustworthy informant. There are some vague indications that Mr. Goldwin Smith does not understand the importance of this fundamental rule. In his Inaugural Lecture, published two years ago, the following extravagant sentence occurs: "Before the Revolution, the fervour and the austerity of Rousseau had cast out from good society the levity and sensuality of Voltaire" (p. 15). This view—which he appears to have abandoned, for in his *Irish History* he tells us that France "has now become the eldest daughter of Voltaire"—he supports by a reference to an abridgment of French history, much and justly esteemed in French schools, but, like all abridgments, not founded on original knowledge, and disfigured by exaggeration in the colouring. Moreover, the passage he refers to has been misinterpreted. In the *Irish History* Mr. Goldwin Smith quotes, for the character of the early Celts, without any sufficient reason, another French historian, Martin, who has no great authority, and the younger Thierry, who has none at all. This is a point of very little weight by itself; but until our author vindicates his research by other writings, it is not in his favour.

The defects of Mr. Goldwin Smith's historic art, his lax criticism, his superficial acquaintance with foreign countries, his occasional proneness to sacrifice accuracy for the sake of rhetorical effect, his aversion for spiritual things, are all covered by one transcendent merit, which, in a man of so much ability, promises great results. Writers the most learned, the most accurate in details, and the soundest in tendency, frequently fall into a habit which can neither be cured nor pardoned,—the habit of making history into the proof of their theories. The absence of a definite didactic purpose is the only security for the good faith of a historian. This most rare virtue Mr. Goldwin Smith possesses in a high degree. He writes to tell the truths he finds, not to prove the truths which he believes. In character and design he is eminently truthful and fair, though not equally so in execution. His candour never fails him, and he is never betrayed by his temper; yet his defective knowledge of general history, and his crude notions of the Church, have made him write many things which are untrue, and some which are unjust. Prejudice is in all men of such early growth, and so difficult to eradicate, that it becomes a misfortune rather than a reproach, especially if it is due to ignorance and not to passion, and if it has not its seat in the will. In

the case of Mr. Goldwin Smith it is of the curable and harmless kind. The fairness of his intention is far beyond his knowledge. When he is unjust, it is not from hatred; where he is impartial, it is not always from the copiousness of his information. His prejudices are of a nature which his ability and honesty will in time inevitably overcome.

The general result and moral of his book is excellent. He shows that the land-question has been from the beginning the great difficulty in Ireland; and he concludes with a condemnation of the Established Church, and a prophecy of its approaching fall. The weakness of Ireland and the guilt of England are not disguised; and the author has not written to stimulate the anger of one nation or to attenuate the remorse of the other. To both he gives wise and statesman-like advice that may soon be very opportune. The first American war was the commencement of the deliverance of Ireland, and it may be that a new American war will complete the work of regeneration which the first began. Agreeing as we do with the policy of the author, and admiring the spirit of his book, we shall not attempt either to enforce or to dispute his conclusions, and we shall confine our remarks to less essential points on which he appears to us in the wrong.

There are several instances of inaccuracy and negligence which, however trivial in themselves, tend to prove that the author is not always very scrupulous in speaking of things he has not studied. A purist so severe as to write "Kelt" for "Celt," ought not to call Mercury, originally a very different personage from Hermes, one of "the legendary authors of Greek civilisation" (43); and we do not believe that any body who had read the writings of the two primates could call Bramhall "an inferior counterpart of Laud" (105). In a loftier mood, and therefore apparently with still greater license, Mr. Goldwin Smith declares that "the glorious blood of Orange could scarcely have run in a low persecutor's veins" (123). The blood of Orange ran in the veins of William the Silent, the threefold hypocrite, who professed Catholicism whilst he hoped to retain his influence at court, Lutheranism when there was a chance of obtaining assistance from the German princes, Calvinism when he was forced to resort to religion in order to excite the people against the crown, and who persecuted the Protestants in Orange and the Catholics in Holland.

These, however, are matters of no consequence whatever in a political history of Ireland; but we find ourselves at issue with the author on the important question of political

freedom. "Even the highly civilised Kelt of France, familiar as he is with theories of political liberty, seems almost incapable of sustaining free institutions. After a moment of constitutional government, he reverts, with a bias which the fatalist might call irresistible, to despotism in some form" (18). The warning so frequently uttered by Burke in his last years, to fly from the liberty of France, is still more needful now that French liberty has exhibited itself in a far more seductive light. The danger is more subtle, when able men confound political forms with popular rights. France has never been governed by a Constitution since 1792, if by a Constitution is meant a definite rule and limitation of the governing power. It is not that the French failed to preserve the forms of parliamentary government, but that those forms no more implied freedom than the glory which the Empire has twice given in their stead. It is a serious fault in our author that he has not understood so essential a distinction. Has he not read the *Rights of Man* by Tom Paine? "It is not because a part of the government is elective that makes it less a despotism, if the persons so elected possess afterwards, as a parliament, unlimited powers. Election, in this case, becomes separated from representation, and the candidates are candidates for despotism."* Napoleon once consulted the cleverest among the politicians who served him, respecting the durability of some of his institutions. "Ask yourself," was the answer, "what it would cost you to destroy them. If the destruction would cost no effort, you have created nothing; for politically, as well as physically, only that which resists endures." In the year 1802 the same great writer said: "Nothing is more pernicious in a monarchy than the principles and the forms of democracy, for they allow no alternative but despotism and revolutions." With the additional experience of half a century, a writer not inferior to the last repeats exactly the same idea. "Of all societies in the world, those which will always have most difficulty in permanently escaping absolute government will be precisely those societies in which aristocracy is no more, and can no more be."† French Constitutionalism was but a form by which the absence of self-government was concealed. The State was as despotic under Villèle or Guizot as under either of the Bonapartes. The Restoration fenced itself round with artificial

* Works, ii. 47. This is one of the passages which, seventy years ago, were declared to be treasonable. We trust we run no risk in confessing that we entirely agree with it.

† Tocqueville, *L'Ancien Régime et la Révolution*, préface, p. xvi.

creations, having no root in the condition or in the sympathies of the people; these creations simply weakened it by making it unpopular. The hereditary peerage was an anomaly in a country unused to primogeniture, and so was the revival in a nation of sceptics of the Gallican union between Church and State. The monarchy of July, which was more suited to the nature of French society, and was thus enabled to crush a series of insurrections, was at last forced, by its position and by the necessity of self-preservation, to assume a very despotic character. After the fortifications of Paris were begun, a tendency set in, which under a younger sovereign would have led to a system hardly distinguishable from that which now prevails; and there are princes in the House of Orleans whose government would develop the principle of democracy in a manner not very remote from the institutions of the second Empire. It is liberalism more than despotism that is opposed to liberty in France; and it is a most dangerous error to imagine that the government of the French charter really resembled ours. There are States without any parliament at all, whose principles and fundamental institutions are in much closer harmony with our system of autonomy. Mr. Goldwin Smith sees half the truth, that there is something in the French nation which incapacitates it for liberty; but he does not see that what they have always sought, and sometimes enjoyed, is not freedom; that their liberty must diminish in proportion as their ideal is attained; and that they are not yet familiar with the theory of political rights.

With this false notion of what constitutes liberty, it is not surprising that he should repeatedly dwell on its connexion with Protestantism, and talk of "the political liberty which Protestantism brought in its train" (120). Such phrases may console a Protestant reader of a book fatal to the Protestant ascendancy in Ireland; but as there are no arguments in support of them, and as they are strangely contradicted by the facts in the context, Mr. Goldwin Smith resorts to the ingenious artifice of calling to mind as many ugly stories about Catholics as he can. The notion constantly recurs that, though the Protestants were very wicked in Ireland, it was against their principles and general practice, and is due to the Catholics, whose system naturally led them to be tyrannical and cruel, and thus provoked retaliation. Mr. Smith might have been reminded by Peter Plymley that when Protestantism has had its own way, it has uniformly been averse to freedom: "What has Protestantism done for liberty in Denmark, in Sweden, throughout the north of

Germany, and in Prussia?" Not much less than democracy has done in France. An admirer of the constitutions of 1791, 1814, or 1830, may be excused if he is not very severe on the absolutism of Protestant countries.

Mr. Goldwin Smith mistakes the character of the invasion of Ireland because he has not understood the relative position of the civilisation of the two countries at the time when it occurred. That of the Celts was in many respects more refined than that of the Normans. The Celts are not among the progressive, initiative races, but among those which supply the materials rather than the impulse of history, and are either stationary or retrogressive. The Persians, the Greeks, the Romans, and the Teutons, are the only makers of history, the only authors of advancement. Other races, possessing a highly developed language, a copious literature, a speculative religion, enjoying luxury and art, attain to a certain pitch of cultivation which they are unable either to communicate or to increase. They are a negative element in the world; sometimes the barrier, sometimes the instrument, sometimes the material, of those races to whom it is given to originate and to advance. Their existence is either passive, or reactionary and destructive, when, after intervening like the blind forces of nature, they speedily exhibit their uncreative character, and leave others to pursue the course to which they have pointed. The Chinese are a people of this kind. They have long remained stationary, and succeeded in excluding the influences of general history. So the Hindoos; being Pantheists, they have no history of their own, but supply objects for commerce and for conquest. So the Huns, whose appearance gave a sudden impetus to a stagnant world. So the Slavonians, who tell only in the mass, and whose influence is ascertainable sometimes by adding to the momentum of active forces, sometimes by impeding through inertness the progress of mankind. To this class of nations also belong the Celts of Gaul. The Roman and the German conquerors have not altered their character as it was drawn two thousand years ago. They have a history, but it is not theirs; their nature remains unchanged, their history is the history of the invaders. The revolution was the revival of the conquered race, and their reaction against the creations of their masters. But it has been cunning only to destroy; it has not given life to one constructive idea, or durability to one new institution; and it has exhibited to the world an unparalleled political incapacity, which was announced by Burke, and analysed by Tocqueville, in works which are the crowning pieces of two great literatures.

The Celts of these islands, in like manner, waited for a foreign influence to set in action the rich treasures which in their own hands could be of no avail. Their language was more flexible, their poetry and music more copious, than those of the Anglo-Normans. Their laws, if we may judge from those of Wales, display a society in some respects highly cultivated. But, like the rest of that group of nations to which they belong, there was not in them the incentive to action and progress which is given by the consciousness of a part in human destiny, by the inspiration of a high idea, or even by the natural development of institutions. Their life and literature were aimless and wasteful. Without combination or concentration, they had no star to guide them in an onward course; and the progress of dawn into day was no more to them than to the flocks and to the forests. Before the Danish wars, and the decay which is described by St. Bernard, in terms which must not be taken quite literally, had led to the English invasion, there was probably as much material, certainly as much spiritual, culture in Ireland as in any country in the West; but there was not that by whose sustaining force alone these things endure, by which alone the place of nations in history is determined—there was no political civilisation. The State did not keep pace with the progress of society. This is the essential and decisive inferiority of the Celtic race, as conspicuous among the Irish in the twelfth century as among the French in our own. They gave way before the higher political aptitude of the English.

The issue of an invasion is generally decided by this political aptitude, and the consequences of conquest always depend on it. Subjection to a people of a higher capacity for government is of itself no misfortune; and it is to most countries the condition of their political advancement. The Greeks were more highly cultivated than the Romans, the Gauls than the Franks; yet in both cases the higher political intelligence prevailed. For a long time the English had, perhaps, no other superiority over the Irish; yet this alone would have made the conquest a great blessing to Ireland, but for the separation of the races. Conquering races necessarily bring with them their own system of government, and there is no other way of introducing it. A nation can obtain political education only by dependence on another. Art, literature, and science may be communicated by the conquered to the conqueror; but government can be taught only by governing, therefore only by the governors; politics can only be learnt in this school. The most un-

civilised of the barbarians, whilst they slowly and imperfectly learned the arts of Rome, at once remodeled its laws. The two kinds of civilisation, social and political, are wholly unconnected with each other. Either may subsist, in high perfection, alone. Polity grows like language, and is part of a people's nature, not dependent on its will. One or the other can be developed, modified, corrected; but they cannot be subverted or changed by the people itself without an act of suicide. Organic change, if it comes at all, must come from abroad. Revolution is a malady, a frenzy, an interruption of the nation's growth, sometimes fatal to its existence, often to its independence. In this case, revolution, by making the nation subject to others, may be the occasion of a new development. But it is not conceivable that a nation should arbitrarily and spontaneously cast off its history, reject its traditions, abrogate its laws and government, and commence a new political existence. Nothing in the experience of ages, or in the nature of man, allows us to believe that the attempt of France to establish a durable edifice on the ruins of 1789, without using the old materials, can ever succeed, or that she can ever emerge from the vicious circle of the last seventy years, except by returning to the principle which she then repudiated, and by admitting, that if States would live, they must preserve their organic connexion with their origin and history, which are their root and their stem; that they are not voluntary creations of human wisdom; and that men labour in vain who would construct them without acknowledging God as the artificer.

Theorists who hold it to be a wrong that a nation should belong to a foreign state are therefore in contradiction with the law of civil progress. This law, or rather necessity, which is as absolute as the law that binds society together, is the force which makes us need one another, and only enables us to obtain what we need on terms, not of equality, but of dominion and subjection, in domestic, economic, or political relations. The political theory of nationality is in contradiction with the historic notion. Since a nation derives its ideas and instincts of government, as much as its temperament and its language, from God, acting through the influences of nature and of history, these ideas and instincts are originally and essentially peculiar to it, and not separable from it. They have no practical value in themselves when divided from the capacity which corresponds to them. National qualities are the incarnations of political ideas. No people can receive its government from another without

receiving at the same time the ministers of government. The workman must travel with the work. Such changes can only be accomplished by submission to a foreign state, or to another race.

Europe has seen two great instances of such conquests, extending over centuries,—the Roman empire, and the settlement of the barbarians in the West. This it is which gives unity to the history of the Middle Ages. The Romans established a universal empire by subjecting all countries to the authority of a single power. The barbarians introduced into all a single system of law, and thus became the instrument of a universal Church. The same spirit of freedom, the same notions of the State, pervade all the *Leges Barbarorum*, and all the polities they founded in Europe and Asia. They differ widely in the surrounding conditions, in the state of society, in the degree of advancement, in almost all external things. The principle common to them all is to acknowledge the freedom of the Church as a corporation and a proprietor, and in virtue of the principle of self-government to allow religion to develop her influence in the State. The great migration which terminated in the Norman conquests and in the Crusades gave the dominion of the Latin world to the Teutonic chivalry, and to the Church her proper place. All other countries sank into despotism, into schism, and at last into barbarism, under the Tartars or the Turks. The union between the Teutonic races and the Holy See was founded on their political qualities more than on their religious fervour. In modern times, the most pious Catholics have often tyrannised over the Church. In the Middle Ages, her liberty was often secured and respected where her spiritual injunctions were least obeyed.

The growth of the feudal system coinciding with the general decay of morals led, in the eleventh century, to new efforts of the Church to preserve her freedom. The Holy See was delivered from the Roman factions by the most illustrious of the emperors, and a series of German Popes commenced the great reform. Other princes were unwilling to submit to the authority of the imperial nominees, and the kings of France and Castile showed symptoms of resistance, in which they were supported by the heresy of Berengarius. The conduct of Henry IV. delivered the Church from the patronage of the empire, whilst the Normans defended her against the Gallican tendencies and the feudal tyranny. In Sicily, the Normans consented to hold their power from the Pope; and in Normandy, Berengarius found a successful adversary, and the king of France a vassal who compelled

him to abandon his designs. The chaplain of the Conqueror describes his government in terms which show how singularly it fulfilled the conditions which the Church requires. He tells us that William established in Normandy a truly Christian order; that every village, town, and castle enjoyed its own privileges; and that, while other princes either forbade the erection of churches or seized their endowments, he left his subjects free to make pious gifts. In his reign and by his conduct the word 'bigot' ceased to be a term of reproach, and came to signify what we now should call 'ultramontane.' He was the foremost of those Normans who were called by the Holy See to reclaim what was degenerate, and to renovate the declining states of the North.

Where the Church addressed herself to the conversion of races of purely Teutonic origin, as in Scandinavia, her missionaries achieved the work. In other countries, as in Poland and Hungary, political dependence on the Empire was the channel and safeguard of her influence. The Norman conquest of England and of Ireland differs from all of these. In both islands the faith had been freely preached, adopted, and preserved. The rulers and the people were Catholic. The last Saxon king who died before the Conquest was a saint. The last Archbishop of Dublin appointed before the invasion was a saint. Neither of the invasions can be explained simply by the demoralisation of the clergy, or by the spiritual destitution of the people.

Catholicism spreads among the nations, not only as a doctrine, but as an institution. "The Church," says Mr. Goldwin Smith, "is not a disembodied spirit, but a spirit embodied in human society." Her teaching is directed to the inner man, and is confined to the social order; but her discipline touches on the political. She cannot permanently ignore the acts and character of the State, or escape its notice. Whilst she preaches submission to authorities ordained by God, her nature, not her interest, compels her to exert an involuntary influence upon them. The jealousy so often exhibited by governments is not without reason, for the free action of the Church is the test of the free constitution of the State; and without such free constitution there must necessarily ensue either persecution or revolution. Between the settled organisation of Catholicism and every form of arbitrary power, there is an incompatibility which must terminate in conflict. In a State which possesses no security for authority or freedom, the Church must either fight or succumb. Now as authority and freedom, the conditions of her existence, can only be obtained through

the instrumentality of certain nations, she depends on the aid of these nations. Religion alone cannot civilise men, or secure its own conquests. It promotes civilisation where it has power; but it has not power where its way is not prepared. Its civilising influence is chiefly indirect, and acts by its needs and wants as much as by the fulness of its ideas. So Christianity extends itself by the aid of the secular power, relying, not on the victories of Christian arms, but on the progress of institutions and ideas that harmonise with ecclesiastical freedom. Hence, those who have most actively served the interests of the Church are not always those who have been most faithful to her doctrines. The work which the Goth and the Frank had done on the continent of Europe, the Normans came to do in England, where it had been done before but had failed, and in Ireland, where neither Roman nor German influences had entered.

Thus the theory of nationality, unknown to Catholic ages, is inconsistent both with political reason and with Christianity, which requires the dominion of race over race, and whose path was made straight by two universal empires. The missionary may outstrip, in his devoted zeal, the progress of trade or of arms; but the seed that he plants will not take root, unprotected by those ideas of right and duty which first came into the world with the tribes who destroyed the civilisation of antiquity, and whose descendants are in our day carrying those ideas to every quarter of the world. It was as impossible to realise in Ireland the medieval notions of ecclesiastical liberty, without a great political reform, as to put an end to the dissolution of society and the feuds of princes, without the authority of a supreme lord.

There is one institution of those days to which Mr. Goldwin Smith has not done entire justice. "It is needless to say that the Eric, or pecuniary composition for blood, in place of capital or other punishment, which the Brehon law sanctioned, is the reproach of all primitive codes, and of none. It is the first step from the license of savage revenge to the ordered justice of a regular law" (41). Pecuniary composition for blood belongs to an advanced period of defined and regular criminal jurisprudence. In the lowest form of civil society, when the State is not yet distinct from the family, the family is compelled to defend itself; and the only protection of society is the *vendetta*. It is the private right of self-defence combined with the public office of punishment; and therefore not only a privilege, but an

obligation. The whole family is bound to avenge the injury; but the duty rests first of all with the heir. Precedency in the office of avenger is naturally connected with a first claim in inheritance; and the succession to property is determined by the law of revenge. This leads both to primogeniture, because the eldest son is most likely to be capable of punishing the culprit, and, for the same reason, to modifications of primogeniture, by the preference of the brother before the grandson, and of the male line before the female. A practice which appears barbarous is, therefore, one of the foundations of civilisation, and the origin of some of the refinements of law. In this state of society, there is no distinction between civil and criminal law; an injury is looked upon as a private wrong, not, as religion considers it, a sin, or, as the State considers it, a crime.

Something very similar occurs in feudal society. Here all the barons were virtually equal to each other, and without any superior to punish their crimes or to avenge their wrongs. They were, therefore, compelled to obtain safety or reparation, like sovereigns, by force of arms. What war is among states, the feud is in feudal society, and the vengeance of blood in societies not yet matured into states—a substitute for the fixed administration of justice.

The assumption of this duty by the State begins with the recognisance of acts done against the State itself. At first, political crimes alone are visited with a public penalty; private injuries demand no public expiation, but only satisfaction of the injured party. This appears in its most rudimentary form in the *lex talionis*. Society requires that punishment should be inflicted by the state, in order to prevent continual disorders. If the injured party could be satisfied and his duty fulfilled without inflicting on the criminal an injury corresponding to that which he had done, society was obviously the gainer. At first it was optional to accept or to refuse satisfaction; afterwards it was made obligatory. Where property was so valuable that its loss was visited on the life or limb of the robber, and injuries against property were made a question of life and death, it soon followed that injury to life could be made a question of payment. To expiate robbery by death, and to expiate murder by the payment of a fine, are correlative ideas. Practically this custom often told with a barbarous inequality against those who were too poor to purchase forgiveness; but it was otherwise both just and humane in principle, and it was generally encouraged by the Church. For in her eyes the criminal was guilty of an act of which it was necessary that

he should repent ; this made her desire, not his destruction, but his conversion. She tried, therefore, to save his life, and to put an end to revenge, mutilation, and servitude ; and for all this the alternative was compensation. This purpose was served by the right of asylum. The Church surrendered the fugitive only on condition that his life and person should be spared in consideration of a lawful fine, which she often paid for him herself. *Concedatur ei vita et omnia membra. Emendat autem causam in quantum poterit*, says a law of Charlemagne, given in the year 785, when the influence of religion on legislation was most powerful in Europe.

No idea occurs more frequently in the work we are reviewing than that of the persecuting character of the Catholic Church ; it is used as a perpetual apology for the penal laws in Ireland. "When the Catholics writhe under this wrong, let them turn their eyes to the history of Catholic countries, and remember that, while the Catholic Church was stripped of her endowments and doomed to political degradation by Protestant persecutors in Ireland, the Protestant Churches were exterminated with fire and sword by Catholic persecutors in France, Austria, Flanders, Italy, and Spain" (92). He speaks of Catholicism as "a religion which all Protestants believed to be idolatrous, and knew by fearful experience to be persecuting" (113). "It would not be difficult to point to persecuting laws more sanguinary than these. Spain, France, and Austria will at once supply signal examples. . . . That persecution was the vice of an age and not only of a particular religion, that it disgraced Protestantism as well as Catholicism, is true. But no one who reads the religious history of Europe with an open mind can fail to perceive that the persecutions carried on by Protestants were far less bloody and less extensive than those carried on by Catholics ; that they were more frequently excusable as acts of retaliation ; that they arose more from political alarm, and less from the spirit of the religion ; and that the temper of their authors yielded more rapidly to the advancing influence of humanity and civilisation" (127, 129).

All these arguments are fallacies ; but as the statements at the same time are full of error, we believe that the author is wrong because he has not studied the question, not because he has designed to misrepresent it. The fact that he does not distinguish from each other the various kinds and occasions of persecution, proves that he is wholly ignorant of the things with which it is connected.

Persecution is the vice of particular religions, and the misfortune of particular stages of political society. It is the resource by which States that would be subverted by religious liberty escape the more dangerous alternative of imposing religious disabilities. The exclusion of a part of the community by reason of its faith from the full benefit of the law is a danger and disadvantage to every State, however highly organised its constitution may otherwise be. But the actual existence of a religious party differing in faith from the majority is dangerous only to a State very imperfectly organised. Disabilities are always a danger. Multiplicity of religions is only dangerous to States of an inferior type. By persecution they rid themselves of the peculiar danger which threatens them, without involving themselves in a system universally bad. Persecution comes naturally in a certain period of the progress of society, before a more flexible and comprehensive system has been introduced by that advance of religion and civilisation whereby Catholicism gradually penetrates into hostile countries, and Christian powers acquire dominion over infidel populations. Thus it is the token of an epoch in the political, religious, and intellectual life of mankind, and it disappears with its epoch, and with the advance of the Church militant in her Catholic vocation.

Intolerance of dissent and impatience of contradiction are a characteristic of youth. Those that have no knowledge of the truth that underlies opposite opinions, and no experience of their consequent force, cannot believe that men are sincere in holding them. At a certain point of mental growth, tolerance implies indifference, and intolerance is inseparable from sincerity. Thus intolerance, in itself a defect, becomes in this case a merit. Again, although the political conditions of intolerance belong to the youth and immaturity of nations, the motives of intolerance may at any time be just, and the principle high. For the theory of religious unity is founded on the most elevated and truest view of the character and function of the State, on the perception that its ultimate purpose is not distinct from that of the Church. In the pagan state they were identified; in the Christian world the end remains the same, but the means are different. The State aims at the things of another life, but indirectly. Its course runs parallel to that of the Church; they do not converge. The direct subservience of the State to religious ends would imply despotism and persecution just as much as the pagan supremacy of civil over religious authority. The similarity of the end demands harmony in the principles, and creates a decided antagonism between

the State and a religious community whose character is in total contradiction with it. With such religions there is no possibility of reconciliation. A State must be at open war with any system which it sees would prevent it from fulfilling its legitimate duties. The danger, therefore, lies not in the doctrine, but in the practice. But to the pagan and to the medieval state, the danger was in the doctrine. The Christians were the best subjects of the emperor, but Christianity was really subversive of the fundamental institutions of the Roman Empire. In the infancy of the modern states, the civil power required all the help that religion could give in order to establish itself against the lawlessness of barbarism and feudal dissolution. The existence of the State at that time depended on the power of the Church. When, in the thirteenth century, the Empire renounced this support, and made war on the Church, it fell at once into a number of small sovereignties. In those cases persecution was self-defence. It was wrongly defended as an absolute, not as a conditional principle; but such a principle was false only as the modern theory of religious liberty is false. One was a wrong generalisation from the true character of the State; the other is a true conclusion from a false notion of the State. To say that because of the union between Church and State it is right to persecute, would condemn all toleration; and to say that the objects of the State have nothing to do with religion, would condemn all persecution. But persecution and toleration are equally true in principle, considered politically; only one belongs to a more highly developed civilisation than the other. At one period toleration would destroy society; at another, persecution is fatal to liberty. The theory of intolerance is wrong only if founded absolutely upon religious motives; but even then the practice of it is not necessarily censurable. It is opposed to the Christian spirit, in the same manner as slavery is opposed to it; the Church prohibits neither intolerance nor slavery, though in proportion as her influence extends, and civilisation advances, both gradually disappear.

Unity and liberty are the only legitimate principles on which the position of a Church in a State can be regulated, but the distance between them is immeasurable, and the transition extremely difficult. To pass from religious unity to religious liberty is to effect a complete inversion in the character of the State, a change in the whole spirit of legislation, and a still greater revolution in the minds and habits of men. So great a change seldom happens all at once. The law naturally follows the condition of society,

which does not suddenly change. An intervening stage from unity to liberty, a compromise between toleration and persecution, is a common but irrational, tyrannical, and impolitic arrangement. It is idle to talk of the guilt of persecution, if we do not distinguish the various principles on which religious dissent can be treated by the State. The exclusion of other religions—the system of Spain, of Sweden, of Mecklenburg, Holstein, and Tyrol—is reasonable in principle, though practically untenable in the present state of European society. The system of expulsion or compulsory conformity, adopted by Lewis XIV. and the Emperor Nicholas, is defensible neither on religious nor political grounds. But the system applied to Ireland, which uses religious disabilities for the purpose of political oppression,* stands alone in solitary infamy among the crimes and follies of the rulers of men.

The acquisition of real definite freedom is a very slow and tardy process. The great social independence enjoyed in the early periods of national history is not yet political freedom. The State has not yet developed its authority, or assumed the functions of government. A period follows when all the action of society is absorbed by the ruling power, when the license of early times is gone, and the liberties of a riper age are not yet acquired. These liberties are the product of a long conflict with absolutism, and of a gradual development, which, by establishing definite rights, revives in positive form the negative liberty of an unformed society. The object and the result of this process is the organisation of self-government, the substitution of right for force, of authority for power, of duty for necessity, and of a moral for a physical relation between government and people. Until this point is reached, religious liberty is an anomaly. In a State which possesses all power and all authority there is no room for the autonomy of religious communities. Those States, therefore, not only refuse liberty of

* "From what I have observed, it is pride, arrogance, and a spirit of domination, and not a bigoted spirit of religion, that has caused and kept up those oppressive statutes. I am sure I have known those who have oppressed Papists in their civil rights exceedingly indulgent to them in their religious ceremonies, and who really wished them to continue Catholics, in order to furnish pretences for oppression. These persons never saw a man (by converting) escape out of their power but with grudging and regret." Burke, "On the Penal Laws against Irish Catholics," *Works*, iv. 505.

"I vow to God, I would sooner bring myself to put a man to immediate death for opinions I disliked, and so to get rid of the man and his opinions at once, than to fret him into a feverish being, tainted with the jail-distemper of a contagious servitude, to keep him above ground, an animated mass of putrefaction, corrupted himself and corrupting all about him." Speech at Bristol, *ib.* iii. 427.

conscience, but deprive the favoured Church of ecclesiastical freedom. The principles of religious unity and liberty are so opposed that no modern State has at once denied toleration and allowed freedom to its established Church. Both of these are unnatural in a State which rejects self-government, the only secure basis of all freedom, whether religious or political. For religious freedom is based on political liberty ; intolerance, therefore, is a political necessity against all religions which threaten the unity of faith in a State that is not free, and in every State against those religions which threaten its existence. Absolute intolerance belongs to the absolute State ; special persecution may be justified by special causes in any State. All medieval persecution is of the latter kind, for the sects against which it was directed were revolutionary parties. The State really defended, not its religious unity, but its political existence.

If the Catholic Church was naturally inclined to persecute, she would persecute in all cases alike, when there was no interest to serve but her own. Instead of adapting her conduct to circumstances, and accepting theories according to the character of the time, she would have developed a consistent theory out of her own system, and would have been most severe when she was most free from external influences, from political objects, or from temporary or national prejudices. She would have imposed a common rule of conduct in different countries in different ages, instead of submitting to the exigencies of each time and place. Her own rule of conduct never changed. She treats it as a crime to abandon her, not so to be outside her. An apostate who returns to her has a penance for his apostasy ; a heretic who is converted has no penance for his heresy. Severity against those who are outside her fold is against her principles. Persecution is contrary to the nature of a universal Church ; it is peculiar to the national Churches.

While the Catholic Church by her progress in freedom naturally tends to push the development of States beyond the sphere where they are still obliged to preserve the unity of religion, and whilst she extends over States in all degrees of advancement, Protestantism, which belongs to a particular age and state of society, which makes no claim to universality, and which is dependent on political connection, regards persecution, not as an accident, but as a duty. Wherever Protestantism prevailed, intolerance became a principle of State, and was proclaimed in theory even where the Protestants were in a minority, and where the theory supplied a weapon against themselves. The Reformation made it a

general law, not only against Catholics by way of self-defence or retaliation, but against all who dissented from the reformed doctrines, whom it treated, not as enemies, but as criminals,—against the Protestant sects, against Socinians, and against atheists. It was not a right, but a duty; its object was to avenge God, not to preserve order. There is no analogy between the persecution which preserves, and the persecution which attacks; or between intolerance as a religious duty, and intolerance as a necessity of State. The Reformers unanimously declared persecution to be incumbent on the civil power; and the Protestant governments universally acted upon their injunctions, until scepticism escaped the infliction of penal laws and condemned their spirit.

Doubtless, in the interest of their religion, they acted wisely. Freedom is not more decidedly the natural condition of Catholicism than intolerance is of Protestantism; which by the help of persecution succeeded in establishing itself in countries where it had no root in the affections of the people, and in preserving itself from the internal divisions which follow free inquiry. Toleration has been at once a cause and an effect of its decline. The Catholic Church, on the other hand, supported the medieval State by religious unity, and has saved herself in the modern State by religious freedom. No longer compelled to devise theories in justification of a system imposed on her by the exigencies of half-organised societies, she is enabled to revert to a policy more suited to her nature and to her most venerable traditions; and the principle of liberty has already restored to her much of that which the principle of unity took away. It was not, as our author imagines (119), by the protection of Lewis XIV. that she was formidable; nor is it true that in consequence of the loss of temporalities “the chill of death is gathering round the heart of the great theocracy” (94); nor that “the visible decline of the papacy” is at hand because it no longer wields “the more efficacious arms of the great Catholic monarchies” (190). The same appeal to force, the same principles of intolerance which expelled Catholicism from Protestant countries, gave rise in Catholic countries to the growth of infidelity. The Revolutions of 1789 in France, and of 1859 in Italy, attest the danger of a practice which requires for its support the doctrines of another religion, or the circumstances of a different age. Not till the Church had lost those props in which Mr. Goldwin Smith sees the secret of her power, did she recover her elasticity and her expansive vigour. Catholics may have learnt this truth late; but Protestants, it appears, have yet to learn it.

In one point Mr. Goldwin Smith is not so very far from the views of the Orange party. He thinks, indeed, that the Church is no longer dangerous, and would not therefore have Catholics maltreated; but this is due, not to her merits, but to her weakness. "Popes might now be as willing as ever, if they had the power, to step between a Protestant State and the allegiance of its subjects" (190). Mr. Smith seems to think that the Popes claim the same authority over the rulers of a Protestant State that they formerly possessed over the princes of Catholic countries. Yet this political power of the Holy See was never a universal right of jurisdiction over States, but a special and positive right, which it is as absurd to censure as to fear or to regret at the present time. Directly, it extended only over territories which were held by feudal tenure of the Pope, like the Sicilian monarchy. Elsewhere the authority was indirect, not political, but religious, and its political consequences were due to the laws of the land. The Catholic countries would no more submit to a king not of their communion than Protestant countries, England, for instance, or Denmark. This is as natural and inevitable in a country where the whole population is of one religion, as it is artificial and unjust in a country where no sort of religious unity prevails, and where such a law might compel the sovereign to be of the religion of the minority. At any rate, nobody who thinks it reasonable that any prince abandoning the Established Church should forfeit the English throne, can complain of a law which compelled the sovereign to be of the religion, not of a majority, but of the whole of his subjects. The idea of the Pope stepping between a State and the allegiance of its subjects is a mere misapprehension. The instrument of his authority is the law, and the law resides in the State. The Pope could intervene, therefore, only between the State and the occupant of the throne; and his intervention suspended, not the duty of obeying, but the right of governing. The line on which his sentence ran separated, not the subjects from the State, but the sovereign from the other authorities. It was addressed to the nation politically organised against the head of the organism, not to the mass of individual subjects against the constituted authorities. That such a power was inconsistent with the modern notion of sovereignty is true; but it is also true that this notion is as much at variance with the nature of ecclesiastical authority as with civil liberty. The Roman maxim, *princeps legibus solutus*, could not be admitted by the Church; and an absolute prince could not properly be invested in her eyes with the sanctity of

authority, or protected by the duty of submission. A moral, and *à fortiori* a spiritual, authority moves and lives only in an atmosphere of freedom.

There are, however, two things to be considered in explanation of the error into which our author and so many others have fallen. Law follows life, but not with an equal pace. There is a time when it ceases to correspond to the existing order of things, and meets an invincible obstacle in a new society. The exercise of the medieval authority of the Popes was founded on the religious unity of the State, and had no basis in a divided community. It was not easy in the period of transition to tell when the change took place, and at what moment the old power lost its efficacy; no one could foresee its failure, and it still remained the legal and recognised means of preventing the change. Accordingly it was twice tried during the wars of religion, in France with success, in England with disastrous effects. It is a universal rule that a right is not given up until the necessity of its surrender is proved. But the real difficulty arises, not from the mode in which the power was exercised, but from the way in which it was defended. The medieval writers were accustomed to generalise; they disregarded particular circumstances, and they were generally ignorant of the habits and ideas of their age. Living in the cloister, and writing for the school, they were unacquainted with the polity and institutions around them, and sought their authorities and examples in antiquity, in the speculations of Aristotle, and the maxims of the civil law. They gave to their political doctrines as abstract a form, and attributed to them as universal an application, as the modern absolutists or the more recent liberals. So regardless were they of the difference between ancient times and their own, that the Jewish chronicles, the Grecian legislators, and the Roman code supplied them indifferently with rules and instances; they could not imagine that a new state of things would one day arise in which their theories would be completely obsolete. Their definitions of right and law are absolute in the extreme, and seem often to admit of no qualification. Hence their character is essentially revolutionary, and they contradict both the authority of law and the security of freedom. It is on this contradiction that the common notion of the danger of ecclesiastical pretensions is founded. But the men who take alarm at the tone of the medieval claims judge them with a theory just as absolute and as excessive. No man can fairly denounce imaginary pretensions in the Church of the nineteenth century, who does not un-

derstand that rights which are now impossible may have been reasonable and legitimate in the days when they were actually exercised.

The zeal with which Mr. Goldwin Smith condemns the Irish establishment and the policy of the Ascendency is all the more meritorious because he has no conception of the amount of iniquity involved in them. "The State Church of Ireland, however anomalous and even scandalous its position may be as the Church of a dominant majority upheld by force in the midst of a hostile people, does not, in truth, rest on a principle different from that of other State Churches. To justify the existence of any State Church, it must be assumed as an axiom that the State is the judge of religious truth; and that it is bound to impose upon its subjects, or at least to require them as a community to maintain, the religion which it judges to be true" (91). No such analogy in reality subsists as is here assumed. There is a great difference between the Irish and the English establishment; but even the latter has no similarity of principle with the Catholic establishments of the Continent.

The fundamental distinction is, that in one case the religion of the people is adopted by the State, whilst in the other the State imposes a religion on the people. For the political justification of Catholic establishments, no more is required than the theory that it is just that the religion of a country should be represented in, and protected by, its government. This is evidently and universally true; for the moral basis which human laws require can only be derived from an influence which was originally religious as well as moral. The unity of moral consciousness must be founded on a precedent unity of spiritual belief. According to this theory, the character of the nation determines the forms of the State. Consequently it is a theory consistent with freedom. But Protestant establishments, according to our author's definition, which applies to them, and to them alone, rest on the opposite theory, that the will of the State is independent of the condition of the community; and that it may, or indeed must, impose on the nation a faith which may be that of a minority, and which in some cases has been that of the sovereign alone. According to the Catholic view, government may preserve in its laws, and by its authority, the religion of the community; according to the Protestant view, it may be bound to change it. A government which has power to change the faith of its subjects must be absolute in other things; so that one theory is as favourable to tyranny as the other is opposed to it. The safeguard of the Catholic

system of Church and State, as contrasted with the Protestant, was that very authority which the Holy See used to prevent the sovereign from changing the religion of the people, by deposing him if he departed from it himself.

In most Catholic countries the Church preceded the State; some she assisted to form; all she contributed to sustain. Throughout Western Europe Catholicism was the religion of the inhabitants before the new monarchies were founded. The invaders, who became the dominant race and the architects of a new system of States, were sooner or later compelled, in order to preserve their dominion, to abandon their pagan or their Arian religion, and to adopt the common faith of the immense majority of the people. The connexion between Church and State was therefore a natural, not an arbitrary, institution; the result of the submission of the government to popular influence, and the means by which that influence was perpetuated. No Catholic government ever imposed a Catholic establishment on a Protestant community, or destroyed a Protestant establishment. Even the revocation of the edict of Nantes, the greatest wrong ever inflicted on the Protestant subjects of a Catholic State, will bear no comparison with the establishment of the religion of a minority. It is a far greater wrong than the most severe persecution, because persecution may be necessary for the preservation of an existing society, as in the case of the early Christians and of the Albigenses; but a State Church can only be justified by the acquiescence of the nation. In every other case it is a great social danger, and is inseparable from political oppression.

Mr. Goldwin Smith's vision is bounded by the Protestant horizon. The Irish establishment has one great mark in common with the other Protestant establishments,—that it is the creature of the State, and an instrument of political influence. They were all imposed on the nation by the State power, sometimes against the will of the people, sometimes against that of the crown. By the help of military power and of penal laws, the State strove to provide that the Established Church should not be the religion of the minority. But in Ireland the establishment was introduced too late—when Protestantism had spent its expansive force, and the attraction of its doctrine no longer aided the efforts of the civil power. Its position was false from the beginning, and obliged it to resort to persecution and official proselytism in order to put an end to the anomaly. Whilst, therefore, in all cases, Protestantism became the Established Church by an exercise of authority tyrannical in itself, and possible

only from the absolutism of the ruling power, in Ireland the tyranny of its institution was perpetuated in the system by which it was upheld, and in the violence with which it was introduced; and this tyranny continues through all its existence. It is the religion of the minority, the Church of an alien State, the cause of suffering and of disturbance, an instrument, a creature, and a monument of conquest and of tyranny. It has nothing in common with Catholic establishments, and none of those qualities which, in the Anglican Church, redeem in part the guilt of its origin. This is not, however, the only point on which our author has mistaken the peculiar and enormous character of the evils of Ireland.

With the injustice which generally attends his historical parallels, he compares the policy of the Orange faction to that of the Jacobins in France. "The ferocity of the Jacobins was in a slight degree redeemed by their fanaticism. Their objects were not entirely selfish. They murdered aristocrats, not only because they hated and feared them, but because they wildly imagined them to stand in the way of the social and political millennium, which, according to Rousseau, awaited the acceptance of mankind" (175). No comparison can be more unfair than one which places the pitiless fanaticism of an idea in the same line with the cruelty inspired by a selfish interest. The Reign of Terror is one of the most portentous events in history, because it was the consistent result of the simplest and most acceptable principle of the Revolution; it saved France from the coalition, and it was the greatest attempt ever made to mould the form of a society by force into harmony with a speculative form of government. An explanation which treats self-interest as its primary motive, and judges other elements as merely qualifying it, is ludicrously inadequate.

The Terrorism of Robespierre was produced by the theory of equality, which was not a mere passion, but a political doctrine, and at the same time a national necessity. Political philosophers who, since the time of Hobbes, derive the State from a social compact, necessarily assume that the contracting parties were equal among themselves. By nature, therefore, all men possess equal rights, and a right to equality. The introduction of the civil power and of private property brought inequality into the world. This is opposed to the condition and to the rights of the natural state. The writers of the eighteenth century attributed to this circumstance the evils and sufferings of society. In France, the ruin of the public finances and the misery of the lower

orders were both laid at the door of the classes whose property was exempt from taxation. The endeavours of successive ministers—of Turgot, Necker, and Calonne—to break down the privileges of the aristocracy and of the clergy were defeated by the resistance of the old society. The government attempted to save itself by obtaining concessions from the *Notables*, but without success, and then the great reform which the State was impotent to carry into execution was effected by the people. The destruction of the aristocratic society, which the absolute monarchy had failed to reform, was the object and the triumph of the Revolution; and the Constitution of 1791 declared all men equal, and withdrew the sanction of the law from every privilege.

This system gave only an equality in civil rights, a political equality such as already subsisted in America; but it did not provide against the existence or the growth of those social inequalities by which the distribution of political power might be affected. But the theory of the natural equality of mankind understands equal rights as rights to equal things in the State, and requires not only an abstract equality of rights, but a positive equality of power. The varieties of condition caused by civilisation were so objectionable in the eyes of this school, that Rousseau wrote earnest vindications of natural society, and condemned the whole social fabric of Europe, as artificial, unnatural, and monstrous. His followers laboured to destroy the work of history and the influence of the past, and to institute a natural, reasonable order of things which should dispose all men on an equal level, which no disparity of wealth or education should be permitted to disturb. There were, therefore, two opinions in the revolutionary party. Those who overthrew the monarchy, established the republic, and commenced the war, were content with having secured political and legal equality, and wished to leave the nation in the enjoyment of those advantages which fortune distributes unequally. But the consistent partisans of equality required that nothing should be allowed to raise one man above another. The Girondists wished to preserve liberty, education, and property; but the Jacobins, who held that an absolute equality should be maintained by the despotism of the government over the people, interpreted more justly the democratic principles which were common to both parties; and, fortunately for their country, they triumphed over their illogical and irresolute adversaries. "When the revolutionary movement was once established," says De Maistre, "nothing but Jacobinism could save France."

Three weeks after the fall of the Gironde, the constitution of 1793, by which a purely ideal democracy was instituted, was presented to the French people. Its adoption exactly coincides with the supremacy of Robespierre in the Committee of Public Safety, and with the inauguration of the Reign of Terror. The danger of invasion made the new tyranny possible ; but the political doctrine of the Jacobins made it necessary. Robespierre explains the system in his report on the principles of political morality, presented to the Convention at the moment of his greatest power. "If the principle of a popular government in time of peace is virtue, its principle during revolution is virtue and terror combined : virtue, without which terror is pernicious ; terror, without which virtue is powerless. Terror is nothing but rapid, severe, inflexible justice ; therefore a product of virtue. It is not so much a principle in itself, as a consequence of the universal principle of democracy in its application to the urgent necessities of the country." This is perfectly true. Envy, revenge, fear, were motives by which individuals were induced or enabled to take part in the administration of such a system ; but its introduction was not the work of passion, but the inevitable result of a doctrine. The democratic constitution required to be upheld by violence, not only against foreign arms, but against the state of society and the nature of things. The army could not be made its instrument, because the rulers were civilians, and feared, beyond all things, the influence of military officers in the State. Officers were frequently arrested and condemned as traitors, compelled to seek safety in treason, watched and controlled by members of the Convention. In the absence of a military despotism, the revolutionary tribunal was the only resource.

The same theory of an original state of nature, from which the principle of equality was deduced, also taught men where they might find the standard of equality ; as civilisation, by means of civil power, education, and wealth, was the source of corruption, the purity of virtue was to be found in the classes which had been least exposed to those disturbing causes. Those who were least tainted by the temptations of civilised society remained in the natural state. This was the definition of the new notion of the people, which became the measure of virtue and of equality. The democratic theory required that the whole nation should be reduced to the level of the lower orders in all those things in which society creates disparity, in order to be raised to the level of that republican virtue which

resides among those who have retained a primitive simplicity by escaping the influence of civilisation.

The form of government and the condition of society must always correspond. Social equality is therefore a postulate of pure democracy. It was necessary that it should exist if the constitution was to stand, and if the great ideal of popular enthusiasm was ever to be realised. The Revolution had begun by altering the social condition of the country; the correction of society by the State had already commenced. It did not, therefore, seem impossible to continue it until the nation should be completely remodeled in conformity with the new principles. The system before which the ancient monarchy had fallen, which was so fruitful of marvels, which was victorious over a more formidable coalition than that which had humbled Lewis XIV., was deemed equal to the task of completing the social changes which had been so extensively begun, and of moulding France according to the new and simple pattern. The equality which was essential to the existence of the new form of government did not in fact exist. Privilege was abolished, but influence remained. All the inequality founded on wealth, education, ability, reputation, even on the virtues of a code different from that of republican morality, presented obstacles to the establishment of the new *régime*, and those who were thus distinguished were necessarily enemies of the State. With perfect reason, all that rose above the common level, or did not conform to the universal rule, was deemed treasonable. The difference between the actual society and the ideal equality was so great that it could be removed only by violence. The great mass of those who perished were really, either by attachment or by their condition, in antagonism with the State. They were condemned, not for particular acts, but for their position, or for acts which denoted, not so much a hostile design, as an incompatible habit. By the *loi des suspects*, which was provoked by this conflict between the form of government and the real state of the country, whole classes, rather than ill-disposed individuals, were declared objects of alarm. Hence the proscription was wholesale. Criminals were judged and executed in categories; and the merits of individual cases were therefore of little account. For this reason, leading men of ability, bitterly hostile to the new system, were saved by Danton; for it was often indifferent who were the victims, provided the group to which they belonged was struck down. The question was not, what crimes has the prisoner committed? but, does he belong to

one of those classes whose existence the republic cannot tolerate? From this point of view, there were not so many unjust judgments pronounced, at least in Paris, as is generally believed. It was necessary to be prodigal of blood, or to abandon the theory of liberty and equality, which had commanded, for a whole generation, the enthusiastic devotion of educated men, and for the truth of which thousands of its believers were ready to die. The truth of that doctrine was tested by a terrible alternative; but the fault lay with those who believed it, not exclusively with those who practised it. There were few who could administer such a system without any other motive but devotion to the idea, or who could retain the coolness and indifference of which St. Just is an extraordinary example. Most of the Terrorists were swayed by fear for themselves, or by the frenzy which is produced by familiarity with slaughter. But this is of small account. The significance of that sanguinary drama lies in the fact, that a political abstraction was powerful enough to make men think themselves right in destroying masses of their countrymen in the attempt to impose it on their country. The horror of that system and its failure have given vitality to the communistic theory. It was unreasonable to attack the effect instead of the cause, and cruel to destroy the proprietor, while the danger lay in the property. For private property necessarily produces that inequality which the Jacobin theory condemned; and the constitution of 1793 could not be maintained by Terrorism without Communism—by proscribing the rich, while riches were tolerated. The Jacobins were guilty of inconsistency, in omitting to attack inequality in its source. Yet no man who admits their theory has a right to complain of their acts. The one proceeded from the other with the inflexible logic of history. The Reign of Terror was nothing else than the reign of those who conceive that liberty and equality can coexist.

One more quotation will sufficiently justify what we have said of the sincerity and ignorance which Mr. Goldwin Smith shows in his remarks on Catholic subjects. After calling the Bull of Adrian IV. "the stumbling-block and the despair of Catholic historians," he proceeds to say: "Are Catholics filled with perplexity at the sight of infallibility sanctioning rapine? They can scarcely be less perplexed by the title which infallibility puts forward to the dominion of Ireland. . . . But this perplexity arises entirely from the assumption, which may be an article of faith, but is not an article of history, that the infallible morality of the Pope has

never changed" (46, 47). It is hard to understand how a man of honour and ability can entertain such notions of the character of the Papacy as these words imply, or where he can have found authorities for so monstrous a caricature. We will only say that infallibility is no attribute of the political system of the Popes, and that the Bulls of Adrian and Alexander are not instances of infallible morality.

Great as the errors which we have pointed out undoubtedly are, the book itself is of real value, and encourages us to form sanguine hopes of the future services of its author to historical science and ultimately to religion. We are hardly just in complaining of Protestant writers who fail to do justice to the Church. There are not very many amongst ourselves who take the trouble to ascertain her real character as a visible institution, or to know how her nature has been shown in her history. We know the doctrine which she teaches; we are familiar with the outlines of her discipline. We know that sanctity is one of her marks, and that beneficence has characterised her influence. In a general way we are confident that historical accusations are as false as dogmatic attacks, and most of us have some notion of the way in which the current imputations are to be met. But as to her principles of action in many important things, how they have varied in course of time, what changes have been effected by circumstances, and what rules have never been broken,—few are at the pains to inquire. As adversaries imagine that in exposing a Catholic they strike Catholicism, and that the defects of the men are imperfections in the institution, and a proof that it is not divine, so we grow accustomed to confound in our defence that which is defective and that which is indefectible, and to discover in the Church merits as self-contradictory as are the accusations of her different foes. At one moment we are told that Catholicism teaches contempt, and therefore neglect, of wealth; at another that it is false to say that the Church does not promote temporal prosperity. If a great point is made against persecution, it will be denied that she is intolerant, whilst at another time it will be argued that heresy and unbelief deserve to be punished.

We cannot be surprised that Protestants do not know the Church better than we do ourselves, or that, while we allow no evil to be spoken of her human elements, those who deem her altogether human should discover in her the defects of human institutions. It is intensely difficult to enter into the spirit of a system not our own. Particular principles and doctrines are easily mastered; but a system

answering all the spiritual cravings, all the intellectual capabilities of man, demands more than a mere mental effort,—a submission of the intellect, an act of faith, a temporary suspension of the critical faculty. This applies not merely to the Christian religion, with its unfathomable mysteries and its inexhaustible fund of truth, but to the fruits of human speculation. Nobody has ever succeeded in writing a history of philosophy without incurring either the reproach that he is a mere historian, incapable of entering into the genius of any system, or a mere metaphysician, who can discern in all other philosophies only the relation they bear to his own. In religion the difficulty is greater still, and greatest of all with Catholicism. For the Church is to be seen, not in books, but in life. No divine can put together the whole body of her doctrine; no canonist the whole fabric of her law; no historian the infinite vicissitudes of her career. The Protestant who wishes to be informed on all these things can be advised to rely on no one manual, on no encyclopædia of her deeds and of her ideas; if he seeks to know what these have been, he must be told to look around. And to one who surveys her teaching and her fortunes through all ages and all lands, ignorant or careless of that which is essential, changeless, and immortal in her, it will not be easy to discern through so much outward change a regular development, amid such variety of forms the unchanging substance, in so many modifications fidelity to constant laws; or to recognise, in a career so chequered with failure, disaster, and suffering, with the apostasy of heroes, the weakness of rulers, and the errors of doctors, the unfailing hand of a heavenly Guide.

Communicated Articles.*

RIO ON CHRISTIAN ART.†

IN the midst of religious and political excitement, there is always some danger that books, even of a superior order,

* The manager of the Catholic school at Belmont has written to us, contradicting a statement made by Mr. Fraser, which was quoted in our last Number, to the effect that the school admits the children of Protestant parents on the distinct pledge of not interfering with their religious opinions. No such pledge is ever given. The children of Protestant parents are not required to go to mass or catechism on Sundays, but on week-days they learn the same catechism and say the same prayers as the Catholic children, no difference whatever being made between them.

† *De l'Art Chrétien.* Par M. Rio. Paris, Hachette, 1861.

may fail to secure the attention they deserve, when they treat of subjects which lie beyond the range of popular feeling. For people are very apt to overlook the identity which underlies the developments of the human mind in different ages, and to attach more importance to the smallest minutiae of existing modes of thought than to the gravest questions which, to those who have never taken the trouble of looking deeper than their external form, seem to belong wholly to the past. This is a disadvantage which M. Rio shares with almost every author in a higher sphere than that of journalism; but he labours under another more peculiarly his own, in the fact, paradoxical as it may sound, of coming late into a field which, as far as I know, he was the first to open to others. For it is not twenty-four years since, by the publication of the first volume of his *Art Chrétien*, he drew attention to the mystical art of Italy, which has since then attracted the labours of so many eminent men in Germany, England, and Italy itself, where thirty years ago Fra Angelico's name was almost forgotten, while it was but little better known in the rest of Europe. Interest, indeed, in the artistic glories of Italy, earlier than the Cinque-Cento, began in stranger countries, and extended itself to the peninsula, where those political predilections which led to the bastard classicality of the French Revolution obtained to a later period than in any other country of Europe. Camuccini, in Rome, carried on the traditions of Gérard and Girodet, though his fine collection of pictures (including, perhaps, the most beautiful landscape ever painted by Titian, and now in the possession of the Duke of Northumberland at Alnwick) testified to his love for masters previous to the Bolognese eclectics, who almost monopolised the admiration of cognoscenti in the earlier years of this century. Of M. Rio it may be said that he has been obscured by the success of the objects of his early enthusiasm; and though, of course, it would be equally impossible and useless to inquire how far the attention of succeeding authors has been awakened by his eloquence, it may be at least allowed, as a proof of his possessing a mind of rare originality, that he prophesied, so to say, beforehand, the enthusiasm which was to bear fruit during the succeeding quarter of a century. For example, the reasons given in the *Art Chrétien* for the hero-worship of Savonarola are certainly not the same as those which have led one English biographer to dedicate a huge volume to his memory, as a Protestant martyr; or the Prussian government to dedicate a statue to him as an attendant upon Luther's monument at Worms; or again, Count Cavour

to quote him in conjunction with Arnold of Brescia; but the feeling which dictated them was more original and spontaneous, and the facts on which it rested were historically more correct. I may be permitted to doubt whether the hero-worship of more than one celebrated author will prove equally lasting.

One consequence, however, of the attention won by M. Rio's first volume, and of the long silence which followed it, has been that he has had no opportunity of rectifying the mistakes of those who have represented him as being, not only an altogether exclusive admirer of the Christian ideal which excited his early enthusiasm, but as being wholly unable to appreciate any other. In England, where, from the more settled state of political and social questions, as well as from the more travelled tastes of a large class of the people, M. Rio's early work had perhaps the largest circle of readers, this has been especially the case. The late Mrs. Jameson, who did so much to animate and popularise the feeling of art in England, was long and intimately acquainted with him, and may be named consequently as the most correct of his English critics; but to those who were aware of his extreme admiration for the masterpieces of Greek art, who had visited with him the galleries of the Vatican, the Capitol, the Uffizj, the Louvre, and the Elgin Marbles of the British Museum, there was something ridiculous, as well as provoking, in even the partial appreciation of other English writers; while, nevertheless, it was undeniable that their caricatures of his meaning were, in some degree at least, a natural consequence of his unfortunately lengthened silence after the publication of his first volume. In these days of competition, an author must not be the victim of ill-health, under pain of being not only supplanted, but misrepresented, because misunderstood. So entirely was this the case in the instance before us, that it had, by a curious transition from the known to the unknown, led to the fact, that when, a few years ago, a translation of M. Rio's first volume appeared, the death of its author was adverted to in a note as having prevented the completion of his work, with regrets that he had not lived to classify and fill-in the other schools of art in Italy, to the level of the eloquent pages devoted to the Florence of Savonarola and the Venice of Bellini. The inaugurator of a revival is always sure to be taken to task by those who were, to a certain extent, his own disciples; and the attention of many, once turned into a given direction, has added, during the last twenty years, such various and important materials

to the history of art, that a writer on it to-day occupies a totally different stand-point to that which was necessary when addressing a comparatively ignorant and indifferent class of readers. An orator who is sure of the sympathetic attention of his audience can afford to discriminate and distinguish in a way which would only confuse a less instructed circle; and it needed the able Introduction to the present three volumes of M. Rio's work to reintroduce us fitly to the higher level of artistic knowledge developed during the last quarter of a century. This Introduction strikes me as the most masterly portion of the book, resuming, as it does, in less than a hundred pages, the fruit of the studies of a lifetime, and containing the ripened artistic creed of the author,—the idea of his work,—just as the tympanum and frieze of an old Greek temple showed forth the character of instruction and worship carried on within. This, indeed, is an advantage that belongs to the continental plan of introductions, and is one which, in my opinion, quite counterbalances their occasional abuse; their absence involving a frequent sacrifice of either unity of aim or width of reach, from that confusion of leading ideas with passing and desultory fancies, which is almost unavoidable in the body of a narrative. M. Rio has, it seems to me, very happily avoided the two extremes of heaviness and flippancy, advocacy and pretended impartiality; and I know no higher commendation in an age in which even able men, after seeking in every possible way to flatter and bias the prejudices and surprise the judgment of their readers, coolly turn round and claim "implicit confidence" on the ground of their own "judicial impartiality" and their total freedom from personal leaning. It is for the reader to judge of the impartiality of an author; and should his mind so far resemble a blank book as to accept all the views and conclusions put before him as so many oracles, still the most dangerous of all authorities to be so far trusted would be one who pretended that the total absence of prejudice was the simplest matter in the world. Mr. Lewes, in his *Physiology of Common Life*, well says that "our philosophy, when not borrowed, is little more than the expression of our personality." You may be attracted by opposite qualities in opposite schools; but your sympathies will almost necessarily lead you to prefer one side or the other. A man might as well claim to feel patriotism for half-a-dozen nations, or ask, like Lord Brougham, to be received as a French citizen without giving up his privileges as an English subject, as profess absolute impartiality. It is true that English common sense revolted from

Lord Brougham's claim to universality when it took this particular shape ; but one is tempted to think that national jealousy had something to do with the feeling, when one remarks how the very men who speak as if moral convictions were fatal to all claims of judgment, are themselves the slaves of interests and prejudices, without even an apparent suspicion that there is any logical inconsistency between their principles and practice. M. Rio makes no such pretensions to virtual infallibility. He owns, however, that, though he by no means prefers bad drawing to good, as many English readers may have been led to expect, yet there are heights of mystical expression which afford him so exquisite a pleasure as to lead him to forgive, and even to forget, the absence of a correct knowledge of anatomy. Of this *mystical ideal*, which is, in his opinion, the chief and peculiar glory of Christian art, he sees a prophetic foreshadowing in the *heroic ideal* of the Greeks, of whom he observes that "it was the privilege to introduce into the world the notion of the ideal;" and that "as the Jewish people seem to have been instituted for the still higher purpose of the worship of truth, so to the Hellenes fell the worship of beauty." To this he adds the noticeable fact, that had it been merely *human* beauty, the most polished and intellectually gifted people of the Greeks would certainly have chosen for their especial patroness and goddess the divinity of love and beauty, whereas they selected the virgin goddess of wisdom. In truth, it was left to Christianity to ennoble love by placing it above wisdom ; a position which no heathen nation, however elevated, could ever have ventured on even imagining, from the inevitable degradation to which such an idea would have been exposed. The goddess of light and fortitude was the fitting head of the heroic ideal of the Greeks, precisely because less subject to deterioration ; and the mystical ideal of love and purity conjoined was left for another race and another religion to carry into another branch of art. But I will let M. Rio speak for himself ; and for that purpose choose an extract in which allusion is made to a cardinal difficulty in art, as in science and in politics, from the days of Phidias to the present time :

"We have said that Minerva was the favourite type of the school of Phidias, and we know that he either cast or modelled nine times at least the statue of this goddess, whether for Athens, of which she was the protecting divinity, or for the other cities of Greece. These different statues were far from being simple reproductions of the same type, differing as they did in size, attributes, and character,—here more archaic, there more softened,—for the

style of the artist varied more than once during his long career. One would fancy that he must have proposed to himself the same problem which later schools of painting in their turn tried to solve with more or less of success, namely, how to conciliate, as far as possible, the action of personal and individual genius with respect for types consecrated by immemorial veneration."

According to this view, the ideal may be defined as the expression of general truths in and through particular personages and facts, in other words, the eternal shown forth by the temporary; so that the imagination is stimulated to act for itself in a given direction. Of course this may be more or less lofty, according to the subject, and the method of treating it, the genius of the artist, and the intellect and feelings of the beholder. It is also very evident that technical excellence will generally progress longer than a more spiritual excellence can; nay more, that the very reverence for the noble, or true, or beautiful, or good, which renders an ideal possible, may in some cases interfere with or retard its development. M. Rio gives two most striking examples of this, in the Apollo of Delphi and the Diana of Ephesus, whose types suffered æsthetically from the very respect they inspired. We here see at once the two dangers, in opposite directions, to which all religious ideals are necessarily exposed. On the one hand, a too slavish respect for the conventional; on the other, a diffusive adoration of individual liberty; the first strong and energetic, but somewhat narrow; the other with its energies frittered away in the pursuit of all possible forms of prettiness.

There is another point in this Introduction, less completely developed than the history of the ideal in Greek art and Roman history, though even more intimately connected with the future of Christian art, and, I would add, civilisation, since from the very first it marks a different stamp on the civilisation of the West from that ever exhibited by any purely Eastern nation. I mean, the history of the *spirit of chivalry*. M. Rio well observes, that the heroic spirit in the Greeks led, as it were, to a foretaste of chivalry, in the respect for unsuccessful and unfortunate valour, shown in the histories of the Amazons and Hercules. At the same time it must not be forgotten that, socially, the Greeks approached to the manners and customs of Oriental nations; ignorance and seclusion were the price exacted of all women who would claim respect morally. Yet, in this very people, we see the tutelary divinity of the most polished, intellectual, and powerful of their cities represented not only under the form of a woman, but in the character of a virgin. This

at once shows a tone of thought different from and opposed to that of any purely Eastern nation with which I am acquainted, such as might be expected to result in a widely diverse civilisation from that of the Oriental type. In fact, it is in itself a recognition of the woman as an independent moral being, if not in deed, yet in spirit; for conscience depends upon intellect for its *raison d'être*, and there can be no duty where there is no responsibility. If to this, as yet entirely theoretic, reverence for womanly virginity, we add the other element of nascent chivalry spoken of above, I mean respect for unsuccessful courage, I think we may at once recognise the foundations and rudiments of European civilisation as distinguished from that of the East. Even the Jews possessed only the latter of these two elements of the spirit which gave its peculiar character to the civilisations of Europe; and Samson and the Maccabees are the only characters of Scripture that may be said to be in any *great* degree chivalrous. I remember when a child feeling this sorely in the *Old Testament*, and it has always very clearly explained to me the reaction in favour of the *Old Testament* rather than the *New*, which ensued on the fall of medieval society, connected as this was for so many centuries with the supremacy of the Catholic Church. Greece therefore was, in other respects as well as geographically, a link between Asiatic and European types of civilisation; and, strange to say, ancient Greece appears more Western than modern Greece; partly, doubtless, because Europe has inherited intellectually so much from the Hellenes, but partly also because the Greek schism has thrust the sympathies of the people back towards the Asia their ancestors conquered some 2500 years ago.

Nothing can be more interesting than the pages devoted to Greek art in M. Rio's Introduction, treating as he does of its spirit, and pursuing the course of sculpture from the days of Phidias to those of the Romans, in the masterly manner so necessary to prevent a sketch from degenerating into a mere memorandum of dry facts. The patriotic enthusiasm of the old Romans is no less happily alluded to; and the moral ties by which this half-religious enthusiasm was connected with the Middle Ages, fanciful and ungrounded as many of them were, are very ably touched on. In truth, such analogies are rather important as *signs* of a state of feeling than correct in fact; and the connexion of Virgil with Christianity, so curiously exemplified by Dante's enthusiasm for him, as well as the constant commemoration of the Sibyls in early Italian Christian art, are instances of the tact with

which poetry, art, and popular taste seize on analogies connected with the filiation of ideas, which, when critically examined by scientific men, may appear altogether futile. Each age connects itself with former ages by a double action: on the one hand, by the use of ideas common to both; on the other, by reaction from theories which tend to an empire too absolute for the amount of truth contained in them. And this double tendency corresponds with the perpetual action of progress and degradation ever going on around and within us. In both, it is the relative importance of ideas, personages, and facts, which is apt to be too far insisted on, because an idea is of importance in a particular age by the temporary power it enjoys; and this by no means corresponds with its moral importance, except in an average extended over lengthened periods of years. Therefore, however natural it may be to distort the relative proportions of past events, still ideas do derive their practical importance from the influence which they exercise on history; and it is in chivalrous thoughts and feelings that we trace the principal cause of the peculiarities of European civilisation, as contradistinguished from that of the East, from which it sprang. Now it strikes me that M. Rio does not connect closely enough the chivalric and ascetic ideals. Both seem to me to repose on the same basis, and to have the same thought at their root. If I were obliged to put this thought into two words, they would be "*noblesse oblige*," with the converse and correlative which is necessary to complete its sense and beauty, "*obligation anoblit*." It is the idea of the heroic transplanted into religion, of which chivalry was the lay element as asceticism was the priestly one. The privilege of self-sacrifice is equally at the root of both; only while self-sacrifice for the supernatural good of others is the ascetic ideal, self-sacrifice for the natural good of others is the chivalrous and heroic ideal; while, in both, the mark which distinguishes the true from the false, and the practicable from the utopian, is a certain generous joyousness in the wholesome exercise of qualities adapted to the individual capacities and powers, without which every species of sacrifice is pretty certain to result in either contemptuous self-complacency or grudging self-pity. On the other hand, reverence for weakness, on the part of the hero, is equally necessary, for it is the only means to prevent his aid from becoming an insult or a degradation to his weaker brother; whilst cordial admiration is the best means for preserving the soul of the weaker from the opposite dangers of either wallowing in the pleasures of a security gained by the labour

of others, or an envious depreciation of dangers he had not the courage to share. Whilst this balance endured, chivalry flourished. When nobles and priesthood thought more of their privileges than of their obligations, and traded on the respect earned by those who went before them, then chivalry fell into discredit, and feudalism from power—to be succeeded, after a period of transition, by another state of society, with other virtues and other vices, which will probably perish likewise in its turn, through the same class of causes operating in an opposite quarter.

I have not time or space to follow out, as I could wish, a subject fascinating in proportion to its importance, and difficult to condense, from the many coexistent causes and influences involved in the existence of a state of thought and feeling now past for ever. I will only remark that the large diversity of opinions and action now existing in the world would in itself prevent the possibility of any common standard of sentiment. A hero of the Middle Ages, transplanted into our complex civilisation, would very soon degenerate into a misanthropist or a dupe. When the same moral law is not acknowledged by all, it would be idle to expect men to cultivate the sentiments and graces of Christianity in their intercourse with one another, while they find it as much as they can do to comply with its precepts. Lord Howard of Effingham when commanding the English fleet against the Invincible Armada of Spain, and Sobieski delivering Vienna, though *morally* heroic, were *politically*, to a certain extent, dupes, because they were serving the interests of others rather than their own. Accordingly, we see that modern historians prefer more successful, though more questionable, heroes. It was Dr. Newman who first pointed out the resemblance of the position occupied by Catholics in the present day to that which they held in the later days of the Roman Empire. I would add, that, whereas the English idea of duty tends daily more and more to the old Roman heathen type of the duty of the citizen as paramount to moral considerations, so the French lean rather, generally, to what may be called decomposed Christianity, in which self-sacrifice is preferred to the plainest duties, when it is not even prostituted to the vilest uses.

I have mentioned the only point in which I should be tempted to differ from M. Rio, in the thirty pages where he so eloquently discusses the rise and growth of the ascetic and chivalrous ideals, in which he sees the animating spirit of modern Christian art; I cannot resist translating the

beautiful passage with which he opens this the concluding part of the Introduction.

“During this sleep of the arts, the ascetic and chivalrous ideals, pursued with an ardour and success until then unexampled, raised souls and characters to a height unknown to pagan antiquity. These two forms of the ideal differed in their origin, as well as in their means and in their object. The cradle of the ascetic ideal was in the deserts of the Thebaïd, or rather it remounted, at least in germ, to the very source of Christianity; whilst the chivalrous ideal, half Teutonic and half Christian, belonged exclusively to Western Europe, and had only begun to show itself after the invasion of the barbarians. It was not even contained in germ in the Catacombs, which were the refuges of Christians almost too resigned, who, following to the letter the example of the Immaculate Lamb, prayed for their executioners, before offering themselves to the slaughter; whereas those who, later, called themselves the soldiers of Christ, were, more or less, the redressers of wrongs, of which, in their eyes, the most unpardonable was any outrage offered to the objects of their worship (*culte*), whether visible or invisible, in heaven or on earth. From this feeling flowed an order of ideas and sentiments which, after having long disconcerted the pedantry of legislators, ended by systematising itself, and became, in combination with Christian institutions, the soul of a new society, in which there flourished simultaneously, and side by side, the ascetic ideal, answering to the city of God, and the chivalrous ideal, answering to the city of the world. It was but natural that the first, which grew immediately out of the evangelical counsels, should precede the latter by some centuries.”

M. Rio's English readers will be interested by his remarks on the two poetical centres round which the romances of the Middle Ages grouped themselves, those, namely, of Charlemagne and the Round Table. He selects the romance of Roland as the typical one of the first, and that of Pierreforest or Percival of the second; admirers of the Laureate will be disappointed at the omission of the name of Sir Galahad. There is surely something remarkable in the attention which has been reawakened in the same direction by men so distinguished and so diverse as Mr. Tennyson, M. Rio, M. de Montalembert, M. de Villemarqué, and Mr. Vitet (whose translation of Theroald's romance of *Roland* is the best, as might be expected), and I will add M. Victor Hugo, Mr. Russell Lowell, and Friedrich Halm. It indicates, if I mistake not, a reaction against the dangers to be apprehended from an exclusive worship of material advantages, began, as might be supposed, by those who feel most acutely that “man cannot live by bread alone,” though they differ widely as to the nature of the necessary remedy, and the

direction in which it is to be sought. The most opposite causes combine sometimes to produce the same results; and the enthusiasm for Dante, which has revived so vividly during the last thirty years, and which has been used for the most opposite purposes and in the most opposite interests, has had much to do, perhaps, with the production of an awakened interest in those medieval centuries of which, in both the faults and the virtues of his character, he was the type, and which he illustrated by his surpassing genius. It is with the name of the great poet, the friend and inspirer of Giotto, that M. Rio fitly concludes his Introduction, and inaugurates his history of Christian art.

The Siennese school, but slightly alluded to in the old edition, occupies two most interesting chapters in this. The researches of the Milanese have enabled M. Rio to thread his way through a history complicated in no ordinary degree, whilst he preserves the dramatic interest of his narrative. And, while I am on this subject, let me observe that the accuracy and analytic talent of such German art-critics as Rumohr and Gaye has had the most happy influence on the later artistic archæologists of Italy. It has made them alive to the necessity of a rigid examination of the comparative merits of authorities, and to the evils of second-hand copying, inaccurate research, and hasty generalising. Le Monnier's edition of Vasari would not have been possible had there not been in most Italian towns men with a well-grounded and accurate knowledge of the art of their own cities and districts; and it is only by division of labour that such results can be obtained. Our own times are peculiarly favourable to enterprises of this kind; and they afford an indispensable help to writers who occupy so large a field as M. Rio, who has thus been enabled to combine accuracy of detail with picturesque effect and power of generalisation. The "early Florentine school" is succeeded, in his volumes, by the Renaissance and the Medici, and this again by "the Popes and the Renaissance." This sort of arrangement, thoroughly appropriate to the aim of the work, and necessary to its dramatic interest, involves, perhaps, the necessity of a more elaborate table of contents than he has given us, if not also, as I should be disposed to wish, an identical heading to the chapters. There are also inaccuracies of date, which have evidently been left by mistake, at pp. 341 and 345, respecting the birth and death of Masolino and Masaccio. It is true, they are corrected in the note at p. 348; but the wrong date of the birth of Masolino, at p. 345, might tend to throw discredit on one of

the most valuable suggestions in the book—I mean the surmise of Masaccio's having been a pupil of Gentile da Fabriano, and of his making *two* journeys to Rome, instead of the one mentioned by Vasari. This is connected with the discovery, or rather identification, now first mentioned (p. 13 of vol. ii.), of one of the most interesting pictures in the history of art, *i.e.* the legend of the erection of S. M. Maggiore, painted by Masaccio for one of the chapels of that basilica, praised by Michael Angelo, and commemorated by Vasari. M. Rio thinks he has identified this picture with one in the Museum of Naples, which has been attributed in turn to Giotto and Fra Angelico. The exact agreement of the picture with Vasari's account, the peculiarity of the subject, and, above all, the two portraits contained in it of Martin V. and the Emperor Sigismund in the characters of Pope Liberius and Constantius, must make this easily ascertainable; and the names of the two masters to whom it was attributed in the Neapolitan catalogues would go far to prove the correctness of M. Rio's surmise, which, by conciliating the varying versions of the best authorities, would render the career of Masaccio as clear and free from contradictions as the history of art requires that it should become. Moreover, the fact of Masaccio's having painted so much during a life of twenty-eight years, and making two journeys to Rome, would tend to account for the smaller part which M. Rio, following Le Monnier's edition of Vasari, ascribes to him in the frescoes of the Brancacci Chapel at Florence. At the same time, I must own to not agreeing in the unqualified preference shown by our author for the frescoes of San Clemente over those of Florence.

Especially interesting are the details, scattered through M. Rio's three volumes, of that school of Christian sculpture which illustrated Tuscany during the thirteenth, fourteenth, fifteenth, and sixteenth centuries, of which Niccolo Pisano was the patriarch, and which from the centre cities of Sienna, Pisa, Pistoja, Lucca, and Florence, spread itself through the greater part of Central and Northern Italy from Milan to Subiaco. There exist materials in many towns on the roads between Florence and Rome, which, put together and collated, ought to throw much light upon the history of this school of combined sculpture and architecture, mosaic and metal work; and I remember, many years ago, M. Rio pointing out a Roman branch of these combined arts, which was probably founded by Arnolfo del Cambio, one of Niccolo's most celebrated pupils. There are many most valuable remarks and materials respecting the Pisani and

Arnolfo in Le Monnier's edition ; but the contemptuous errors of Vasari's text make it a positive disadvantage to the notes to be so accompanied. The earlier disciples of this school almost invariably signed their works ; and the long inscriptions they frequently added would enable this chapter of art to be satisfactorily rewritten. Niccolo himself appears to have been born in Sienna, though of a Pisan family ; and the school of sculpture founded by him, and derived from his study of ancient bas-reliefs, retained sufficient life, as well as traces enough of its classical origin, to ally itself with Italian Gothic, with its mixture of Byzantine-Romanesque and northern features ; and then by a gradual change, of which Giacompo della Quercia was the initiator, it combined itself equally, harmoniously, through almost insensible gradations, with the classic revival in architecture of Alberti and Brunelleschi. Much might be said on this most captivating school of Christian sculpture, in its two mystical and heroic aspects : that is to say, on the one hand, the Della Robbias, Matteo Civitale of Lucca, the two Majani, Desiderio da Settignano, Antonio Rossellino, and Mino da Fiesole ; on the other, Donatello, and, uniting the two, Lorenzo Ghiberti, Benedetto Rovezzano, and, finally, Michael Angelo. The English public, first familiarised with its beauties through the copies of the Crystal Palace, can now, I believe, study them at Kensington, in the purchases from the Campana collection ; and this is the more fortunate, as one of the few yawning gaps in the Manchester Art-Exhibition was in this direction ; to which I will add the mystical Venetian school of painting, of which I do not *know* one first-rate specimen in England.

I need not say that the Umbrian and Mystical schools, with the chapters on Savonarola and his disciples, are treated *con amore* by M. Rio. He was, indeed, one of the first who defended this school, and especially Pinturricchio, from the unjust depreciation of Vasari, and pointed out the importance of Urbino as a centre of art, both pictorial and architectural. His third volume contains Leonardo and his school, together with those of Bergamo, Cremona, Lodi, and Ferrara. That of Lodi will be especially new to most English readers ; and in fact M. Rio was the first who drew much attention to it. Lorenzo Lotto, Moretto, Boccaccino, and the Piazzas, are badly represented in England, so far as I am aware ; and of Luini, perhaps the best specimen is the St. Catherine, belonging to Mr. Howard of Corby. An interesting identification of a very rare master is mentioned, p. 434 of M. Rio's third volume,—I think, for the first time.

It is a picture in the Corsini Gallery, in Rome, by Ercole Grandi of Ferrara. Perhaps in the reaction from the previous preposterous overrating of the houses of Medici and Este, M. Rio has been thrown somewhat into the opposite extreme.

It has long been the fashion to confound mysticism with dryness, and the reasons for this are obvious; but it is sufficient to remind those who would make it a *rule*, that Paolo Uccelli and Fra Angelico were almost exact contemporaries, as were also Vittore Pisanelli, Benozzo Gozzoli, and Gentile da Fabriano. Benozzo Gozzoli, Bellini, and Francia are, perhaps, the three artists who most consistently combine design and colour with the ascendancy of the mystic element, and they are almost equalled in this respect by Perugino and Pinturricchio, whilst in others they are surpassed by Fra Bartolomeo, who is scarcely to be appreciated out of Italy. Some of Raffael's, Andrea del Sarto's, and Titian's sacred pictures possess the same charm; and I would instance the "*Noli me tangere*" of the last, in the National Gallery, as perhaps superior to the Manfrini's Deposition from the Cross, of which a duplicate is in the Louvre.

A fourth volume, which may soon be expected to appear, will complete M. Rio's elaborate work; and at present I must take leave of him with a quotation from his beautiful chapter on *La Renaissance* and *La Papauté*, which will do more than any words of mine to recommend his book to my readers.

"The voice of the Popes, powerless to combine Christendom in arms against the Turks, was not less so in containing the intellectual movement of the age within just limits. At the accession of Paul II., it became necessary to institute a mysterious law-suit against some of the members of the Roman Academy, surprised, it was said, in flagrant apostasy; and a line of demarcation, often arbitrary, had to be traced between the domain of legitimate science and that of innovations which might compromise faith. It was an additional complication for the Papacy to surmount, in its threefold duties towards its Divine Founder, towards its subjects, and towards itself. The bark of St. Peter, beaten by the diversified tempests of the Middle Ages, was compelled now to steer amid new breakers, with pilots who did not altogether escape the weaknesses of their times, but who were guided fortunately always by the same compass.

The relation in which the Sovereign Pontiffs stood to the productions of contemporaneous literature became then more and more delicate, and the same was the case with regard to the imaginative arts, and especially with regard to painting, more particularly

exposed to the growing invasions of naturalism and paganism. There existed in this direction a twofold temptation, which became every day more seducing, and against which it was all the more difficult to guard, from the impossibility of denying to it a certain amount of legitimate influence. There could thus be no question of absolute exclusion, but rather a question of equilibrium and just moderation, which it was necessary to solve ; and this the Papacy did with a sureness of tact, and a width of view, which it would be impossible to over-estimate. If the Holy See had only favoured in art the traditional and ascetic side, it would have been surpassed by the more clear-sighted and worldly patronage of the secular power ; and if it had immoderately favoured the scientific and naturalistic element, it would have been unfaithful to its mission. See, then, with what a marvellous instinct it appropriated, and assimilated to itself, all the advances and discoveries which succeeded one another so rapidly during the fifteenth century. When Gentile da Fabriano, the painter of naïves and holy inspirations, is called to Rome to decorate the Basilica of the Lateran, Masaccio and Victor Pisanello are assigned to him as his fellow-workers,—the two artists, that is to say, who were most eminent in an opposite direction ; and when Nicholas V. sends for Fra Angelico of Fiesole, he sends also at the same time for Leo Battista Alberti and Piero della Francesca. The same equilibrium is maintained under Sixtus IV., who makes Perugino work side by side with Luca Signorelli in the Sixtine Chapel, and under Innocent VIII., who employs the graceful hand of Pinturricchio and the profound art of Mantegna in the joint decoration of the Vatican. And lastly, during the pontificate of Julius II. both tendencies find their highest and most perfect expression, in the simultaneous works of Raffael and Michael Angelo.”

F. H.

EDMUND CAMPION.—No. VI.

WHEN our pilgrims came to Rheims, they were received with the greatest joy by all those confessors and servants of God that lived there. Campion was specially welcomed by Allen and the rest, for old acquaintance' sake : they had not seen him for eight years or more, so there was no end to their embracing and welcoming the good man ; and besides, he and his companions were already looked upon as martyrs. Even from a distance, at Rome, it had seemed no easy thing to get into England without discovery ; but fresh difficulties had grown up daily, and at Rheims the missionaries were told of a new proclamation, in which Elizabeth declared that she had notice of the Pope, the King of Spain, the Duke of Flo-

rence, and other Catholic princes having made a league against her to invade her realm, at the persuasion of some of her subjects who lived beyond sea. This was easily seen to be a plain preface and introduction to the rigour of persecution which awaited all priests who should convey themselves into the country. Here also they heard of the unfortunate expedition into Ireland, to which, as we have seen, may be attributed much of the severity with which they were treated.

Campion, therefore, feeling that the case was somewhat altered, and that there was now less chance of success in the undertaking, went to Allen, and said, "Well, sir, here now I am; you have desired my going to England, and I am come a long journey, as you see,—from Prague to Rome, and from Rome hither. Do you think that my labours in England will countervail all this travail, as well as my absence from Bohemia, where, though I did not much, yet I was not idle nor unemployed, and that also against heretics?" The president answered, "My good father, your labours in Beme-land, though I do not doubt but they were very profitable, yet do I imagine that another man of your Society may supply the same, or at least two or three. But towards England I verily hope that Almighty God will give you strength and grace to supply for many men; and seeing that your obligation is greater towards your own country than towards any other, and the necessity of help more urgent, and the talents that God hath given you more fit and proper for that than for any other land, doubt you not but that all is Christ's holy providence for the best; and so be you of good comfort." "As for me," said Campion, "all is one; and I hope I am and shall be ever indifferent for all nations and functions whereinsoever my superiors under God shall employ me. I have made a free oblation of myself to His Divine Majesty, both for life and death, and that I hope He will give me grace and force to perform; and this is all I desire."

Campion was glad of an opportunity to preach to the students, for he had not spoken publicly in English for many years. He preached on the text, *Ignem veni mittere in terram*, and Parsons remembered one principal point which he handled,—“to compare the new religion of England to a fire, which, being once kindled in any one house of a city, obliges all men, as well friends as enemies of the owner, to run to quench it. And to show the truth of this comparison, he repeated briefly the hurts that this fire had already done in our country: how many goodly churches, monasteries, and other monuments of piety it had devoured in an instant,

which our Catholic forefathers had set up in so many hundred years ; how many holy orders of religious of both sexes it had dissolved ; how many hearts of weak people it had inflamed to marry or live in incest, that had before served God either in virginity or chastity ; what devilish division and heat of hatred it had enkindled in the hearts of Englishmen, even amongst those that by nature should be most loving : and having thus showed the fury of the fire, he exhorted his fellow-priests and all the company present to put their helping hands and endeavours to the staying or quenching of the same. And if the water of Catholic doctrine would not serve, nor milk of sweet and holy conversation, they should cast blood also of potent martyrdom, which, it might be hoped, would be accepted for the quenching thereof." While he was describing the outbreak of the conflagration, Bombinus tells us that he cried out "fire, fire, fire," so loud, that the passers-by were going to fetch the water-buckets to put it out.* Allen, who heard him, wrote to Rome a few days afterwards,—“Whether he was inspired by his subject, or whether it was a miracle of memory, he spoke English as fluently and as correctly as if he had but yesterday come fresh out of England.”

Before the missionaries departed for England, the places of Bishop Goldwell and Dr. Morton, who were obliged to stay behind, were filled up by two priests of Rheims, Dr. Ely and Mr. John Hart. They were also joined by Father Thomas Cottam, an English Jesuit, who had been long labouring in Poland, and who was only ordered to go to his native country for the recovery of his health. They wisely determined not to risk their whole adventure in one boat, but to divide themselves into small parties, and to reach England by different roads. Dr. Bromburg and Mr. Bruscoe went by Dieppe ; Sherwin led his pupil Pascal round by Rouen, where he found young Edward Throckmorton, by whom he wrote an affectionate letter to his old master at Rome, begging Father Alphonsus to accept Throckmorton in his place. It was a fair exchange. Sherwin died a martyr with Campion in England ; Throckmorton died after a few years in the odour of sanctity at the English college in Rome. Giblett, Crane, and Kemp went by Abbeville and Boulogne ; Dr. Ely, Riston, Kirby, Hart, and Cottam went by Douai and Dunkirk ; lastly, Campion, Parsons, and Ralph Emerson went, on the 6th of June, to St. Omer, where there was a fair college of the order.

* I suspect that Bombinus only worked an old joke into his narrative ; it is not likely that the passengers in the streets of Rheims would have understood the word "fire" at all.

They had to travel through "a country filled with soldiers of divers sorts and conditions, but all perilous to one who should fall into their hands; but their lot was cast, and they depended on the Master and Commander of all, who led them through without hurt, stay, or trouble." When they reached the residence at St. Omer, the Flemish fathers thought their safe coming thither to be miraculous, and tried to dissuade them from carrying out their undertaking any further. It would be tempting Providence to dare such an accumulation of new dangers. The Queen and Council, they were told, had been informed divers ways of their coming, and were much exasperated. Several spies, who knew all their names, who had lived with them in Rome, and could describe their persons and habit, had given particular information to the Council, who in turn had given it to the searchers and officers of all the ports; so that it was impossible to enter without being taken. Nay, their very pictures had been taken and sent to the officers, to help in identifying them.

These rumours had been spread by the English Catholic exiles who lived at St. Omer. Among these was one wiser than the rest, Mr. George Chamberlain, a gentleman of a very worshipful house, in banishment for his conscience, who had married a Flemish lady. As a discreet and well-qualified person, he was consulted on the matter, and said that such reports had certainly come from England, and were like enough to be true in general, though he did not believe all the particulars. He did not think that the Council could have found out so much in so little time; yet it would be wise to deliberate well before setting out on such a journey. Parsons and Campion replied that the journey itself was long ago deliberated and determined, and offered to God; so there could be no new deliberation on it, but only about the manner, way, place, and time of effecting it. On this they asked Chamberlain's advice, and begged him to declare it in the presence of the fathers of St. Omer, and to hear the reasons on the other side, so that the journey might be prosecuted with the good liking and approbation of all, without waiting for a new crop of difficulties and perils.

So Chamberlain went with them to the College, where Parsons and Campion expounded their commission and desires, and the reasons for their haste: they said that the dangers, granting them to be as great as was reported, would only grow greater daily; that it did not matter if the Council knew their names, for they had license to change them and their apparel, which they would take care to make very different from the habits in which the spies had seen them;

that many men were like each other, and the informers could scarcely have so exact a knowledge of their persons as to identify them under all disguises; that the story about the pictures was impossible,—the spies had not procured them in Rome, had scarcely been able to find limners in England to paint them from description, and had not had time to make so many copies. So the Flemish fathers were asked to commend the matter to God, and let the missionaries go forward; for this, they were persuaded, was God's will, and the meaning of their superiors in Rome.

Parsons' object,—which was, I suppose, to secure the acquiescence of Chamberlain as a representative of the English laity, and of the Flemish fathers on the part of the Society, and thus to provide by anticipation an answer to probable charges of rashness and want of consideration for the interests of others,—was attained when Chamberlain and the fathers professed themselves contented with his reasons, and proceeded to advise with him on the manner of their going. The result of their consultation was, that Parsons was to go by himself through Calais to Dover, and if he succeeded was to send for Campion. Parsons was to pass for a soldier returning from the Low Countries, Campion for a merchant of jewels; and Parsons reflects on the appropriateness of the disguise, as their mission was really a warfare, and their business the merchandise of the "pearl of great price," and the traffic in the talents which their Lord had lent them. Parsons departed the next day, having been furnished by Chamberlain with a captain's uniform of buff trimmed with gold-lace, with hat and feather to match, and another suit for a person who went with him as his man George. He went to Calais on St. Barnabas' Day, June 11, and found a ready passage to Dover, where he arrived the next morning. There the searcher examined him, and so far from misdoubting him let him pass with all favour, and procured him a horse to carry him to Gravesend. Parsons took heart at this providential courtesy of the searcher, by whom he had been treated with exceptional politeness, and told him that a friend of his, Mr. Edmunds, a merchant lying at St. Omer, would follow him shortly, to whom he begged that like favour might be shown. The searcher even undertook to forward to Edmunds—under which name my readers of course recognise Campion—a letter, in which Parsons told him that he had thought of certain special and urgent causes why he should make haste to London for utterance of jewels and the like,—a letter which might be shown to the searcher when he came over.

Parsons reached Gravesend at midnight, and at once got into a tilt-boat proceeding to London. He was horrified at finding himself in the midst of a quantity of gentlemen of the Inns of Court and of the Queen's household, who had been merry-making in Kent, and who kept playing and singing half through the night. Parsons, in dread of being recognised in the daylight, took the opportunity before the gentlemen were awake of jumping into a wherry, which landed him and his man in Southwark about four o'clock in the morning. But here he was in fresh difficulties; he had no horse, and so was not acceptable to the hosts of the inns, who were moreover made extraordinarily cautious by the late proclamations and rumours against suspicious people; besides, they saw that his dress was outlandish, and one and all refused to harbour him.

After spending most of the morning in his bootless search over Southwark for a lodging, he resolved to apply to some Catholic. He knew not where any lived, but was sure to find plenty of them at any of the prisons. So he went to the Marshalsea, and inquired for one Thomas Pounce, Esquire, who had lain there and in other prisons many years for his faith. Pounce took Parsons into his room, was delighted at his safe arrival, and told him that he and the other Catholic prisoners had been praying earnestly for many days for him and Campion, and that they must now return thanks. Parsons replied that they must continue their prayers some days longer, for Campion was not yet come over. Parsons then dined with the numerous Catholic prisoners, and afterwards committed himself to the guidance of one of the guests, Mr. Edward Brooksby, who led him to a Catholic house in the City, a kind of club, where he found other gentlemen and priests, and notably Mr. George Gilbert, a young gentleman of large property in Suffolk and other counties, who had succeeded young to his wealth. He had been brought up in London in the current religion; but his earnest nature inclined him rather to Puritanism, in which he had been confirmed by daily frequenting the sermons of Deering, the famous preacher. But after he came to the enjoyment of his property, he obtained leave to travel; and in Paris providentially fell into the company of Father Robert Darbyshire, the Jesuit, who opened his eyes to the Catholic religion. Father Parsons, in Rome, completed his conversion, and stood his godfather at his confirmation. From that time, though the new convert still pursued his studies, and learned the accomplishments for which Italy was then famous,—riding, fencing, vaulting, and the like, for he was of stal-

wart growth,—yet he secretly added all kinds of religious exercises, such as prayer, fasting, mortification, and liberal almsgiving.

Gilbert wished to expend his first fervour in a pilgrimage to Jerusalem; but Parsons persuaded him rather to return to England, and lay out his money on priests and on other means of advancing the Catholic cause. The result was, that he drew together and organised divers principal young men for this purpose, who took lodging together and sojourned in the chief pursuivant's house in Fetter or Chancery Lane. The pursuivant had great credit with the Bishop of London, Aylmer; they had also another powerful protector at Fulham, where was the focus of their peril, in the person of the Bishop's son-in-law, Dr. Adam Squire, who was in their pay. Through the connivance of these men they were able to receive priests, and to have Masses celebrated daily in their house for some years, till the Jesuits came in, when the times grew much more exasperated.

Gilbert's friends had induced him to make advances to a young heiress, and he was about to be married when he heard of the mission of Parsons and Campion to England; on this he broke it off, and resolved never to marry, and would needs have made a vow—with Parsons' approbation—as soon as he came to him in England. But Parsons would not at first permit it, though at last he allowed him to vow chastity till the Catholic religion should be publicly professed in England.

After being introduced to this club, Parsons gave directions about Campion, who was shortly to follow him, and set out, under the guidance of Mr. Henry Orton, to visit certain gentlemen in the counties round London. After three weeks he hoped to return, and to find that his companion had arrived.

While this was going on in England, Campion was left in doubt and anxiety at St. Omer, from whence, on the 20th of June, he wrote the following letter to Everardus Mercurianus, the general.

“Father Robert, with Brother George his companion, had sailed from Calais after midnight, on the day before I began writing this; the wind was very good, so we hope that he reached Dover some time yesterday morning, the sixteenth of June. He was dressed up like a soldier,—such a peacock, such a swaggerer, that a man needs must have very sharp eyes to catch a glimpse of any holiness and modesty shrouded beneath such a garb, such a look, such a strut. Yet our minds cannot but misgive us when we hear all men, I will not say whispering, but crying, the news of our coming. It is a venture

which only the wisdom of God can bring to good, and to His wisdom we lovingly resign ourselves. According to orders, I have stayed behind for a time, to try, if possible, to fish some news about Father Roberts' success out of the carriers, or out of certain merchants who are to come to these parts, before I sail across. If I hear any thing, I will advise upon it; but in any case I will go over and take part in the fight, though I die for it. It often happens that the first rank of a conquering army is knocked over. Indeed, if our Society is to go on with this adventure, the ignorance and wickedness against which this war is declared will have to be overthrown. On the twentieth of June I mean to go to Calais: in the mean time I live in the College at St. Omer, where I am dressing up myself and my companion Ralph. You may imagine the expense, especially as none of our old things can be henceforth used. As we want to disguise our persons, and to cheat the madness of this world, we are obliged to buy several little things which seem to us altogether absurd. Our journey, these clothes, and four horses, which we must buy as soon as we reach England, may possibly square with our money; but only with the help of the Providence which multiplied the loaves in the wilderness. This, indeed, is our least difficulty, so let us have done with it. I will not yet close this letter, that I may add whatever news reaches me during these three days. For though our lot will be cast one way or other before you read this, yet I thought I ought, while I am here, to trace every particular of this great business, and the last doings, on which the rest, as yet unwritten, will hang. There is a certain English gentleman, very knowing in matters of state, who comes often to me; he tells me that the coming of the Bishop of St. Asaph is canvassed in letters and in conversation. Great expectations are raised by it; for most men think that such a man, at his age, would never undertake such a task, except there was some rising on foot. I told him in the simplest manner the true cause of his coming. Still he did not cease wondering; for the episcopal name and function is in high honour in England.

To day the wind is falling, so I will make haste to the sea. I have been thoroughly well treated in St. Omer College, and helped with all things needful. Indeed, in our whole journey we received incredible comfort in all the residences of our fathers. We also enjoyed the hospitality of two most illustrious Cardinals, Paleotto and Borromeo, and of the Archpriest Collensi. We purposely avoided Paris and Douai. I think we are safe, unless we are betrayed in these sea-side places. I have stayed a day longer than I meant, and as I hear nothing good or bad of Father Robert, I persuade myself that he has got through safely. I pray God ever to protect your reverence, and your assistants, and the whole Society. Farewell."

Campion must have received Parsons' communication immediately after closing this letter to his general; he at once, with full confidence of success, prepared to follow. He

was very glad that the feast of his old patron, St. John the Baptist, was so near at hand—indeed, it fell out that he crossed over on the very day; for he was obliged to wait four days at Calais for a good wind, and at last he put to sea on the evening of the 24th of June, and reached Dover before daylight. He landed on the sands, and retired behind a great rock, to fall on his knees and commend his cause and his whole coming to God, whether it might be for life or for death. Then he and Brother Ralph went to look for the searcher, whom they hoped to find in as good a humour as Parsons had left him; but times were changed, for stricter orders had come down from the Council to look more diligently to his charge, with a reprimand to him and the mayor for having, as was supposed, allowed certain priests to pass that way into the realm.

Besides this, some spy had advertised the Council out of France that Mr. Gabriel Allen, brother to the president, was about to visit his friends in Lancashire; and a description of Allen's person had been furnished, agreeing in the main with the stature, physiognomy, and person of Campion. Hereupon he and Ralph were seized and carried before the Mayor of Dover: he charged them with being foes of the queen's religion, and friends of the old faith; with sailing under false names; with having been abroad for religion; and with returning for the purpose of propagating popery. Campion, he declared, was Allen; but this Campion offered to swear was not the case. At last he resolved to send them up, under guard, to the Council, and ordered the horses to be prepared. Campion all the while was standing, praying in his heart to God, and begging the intercession of his patron, St. John the Baptist; then an old man came forth from the chamber whither the mayor had retired: "You are dismissed," he said; "good-bye."

He and Ralph thereupon made all the haste they could to London, where he was anxiously expected, and where much prayer was being made for his safety; for the great fear was, what he would do when he first arrived. But it happened that when the boat in which he was a passenger came to the Hythe at London, Thomas Jay, one of the Catholic Club, was watching for him: he had never seen him; but partly through Parsons' description of his person and apparel, partly through seeing him in company with the little brother Ralph, who had also been described to him, he suspected him to be the man, and so boldly stepped to the boat's side: "Mr. Edmunds, give me your hand; I stay here for you, to lead you to your friends." And he led him,

nothing loth, to the house in Chancery Lane, where Gilbert and the rest clothed and armed him like a gentleman, and furnished him with a horse. This was on the morning of June 26th.

Parsons, who was still in the country, had left word that Campion should stay in London for his return, and employ his time in the best manner he could for the comfort of Catholics. Hereupon the young men entreated him to preach to them on the 29th of June, the feast of St. Peter and St. Paul. There was great difficulty in fixing upon a place, for their house would not hold all that wished to attend, and no public place was safe; so at last they chose the great hall of a house near Smithfield, which Lord Paget hired for them of Lord Norreys, where the servants and porters were for the nonce replaced by gentlemen of worship and honour; and while these trusty watchmen guarded the ways, Campion preached on the Gospel, taking for his text both St. Peter's confession, *Tu es Christus, Filius Dei vivi*; and our Lord's answer, *Et ego dico tibi quia tu es Petrus, et super hanc petram edificabo Ecclesiam meam*. From the former he animated them to the true confession of Christ in that faith and religion of His which first He sent to our nation when it was converted from Paganism; from the latter, he laid before them the indignity, danger, and folly of insulting against this invincible rock of Peter and his successors; and the effect of his whole sermon was to draw forth many tears in consideration of the one, and to plant in all that heard him great courage and fortitude for the execution of the other.

His sermon so strongly affected those who heard him, that each of them supposed that if this loose Catholic or that sincere Protestant could be brought to speak with the preacher, the conversion of the wanderer would be secured; hence Campion's coming was entrusted as a grand secret to half the world, and after a few days, which he well spent in conferences with all comers, the Council began to suspect what was on hand, and set on foot a diligent search for his apprehension. They at first tried the stratagem of sending false brothers to hear him, and to apprehend him at Mass or preaching; there were spies abroad, sighing for Catholic sermons, and showing great devotion and desire of them, especially if any of the Jesuits might be heard. But Campion was advertised of this scheme by some principal persons of the court, and therefore took greater heed with whom he conversed, employing himself only in private conferences and exhortations in secret friends' houses during eight or ten days, till Parsons returned to deliberate with him what

course to follow for prosecuting their affairs within the realm.

But even these quiet proceedings were known to the queen and Council, who only abstained from violent measures in the hopes of being able to capture at one stroke not only the Jesuits, but a considerable number of the chief Catholics, at some of the conferences. The Government was exceedingly stung to hear of so many priests having entered the realm at once; for besides the twelve who came from Rome, several had been sent from France and Flanders, not, as Parsons protests, in consequence of any previous agreement, "but by chance, or rather God's providence, divers of them not knowing the one of the other's journey."

But though the Council kept silence for the present, the searchers of London grew so eager and frequent, and the spies so many and diligent, that scarce an hour passed without some Catholic being reported as taken up on suspicion, or detected. As a specimen of the dangers which the two Jesuits were continually incurring, take this story. Henry Orton, the young gentleman who had been Parsons' conductor in his short expedition into the country, set out one morning from his lodging in Smithfield to visit Campion and Parsons. On the way, there stood Sledd, a man who had been in the English College at Rome, but had turned spy and informer, with a constable, ready to apprehend any one he might recognise. He had known Orton in Rome; and though he knew the young man was neither priest nor Jesuit, yet he guessed that he conversed with such as were; so he followed him a while in the street; and if he had followed him a little farther, he would have found the very house where the two fathers were together, and would have captured them both at once. But Sledd had not patience, and caused Orton to be apprehended in the street, whereby the fathers were warned, and so provided for themselves.

Again, there was then in London a very grave and godly priest, Mr. Robert Johnson, who had visited Rome as a pilgrim shortly before the departure of the fathers for England. He had already laboured painfully in his own country for some years, and before he returned to his work he had retired, on Parsons' recommendation, into a house of Jesuits, where he had gone through the spiritual exercises of St. Ignatius. On his way to England he was joined by Sledd the spy, who was then talking like a most enthusiastic Papist, but behaving so loosely that Johnson was obliged to reprehend him; at which Sledd was so angry that he at first meditated murdering him on the spot,

but on after consideration determined to betray him to the English Government instead. He therefore went to the English ambassador at Paris, and gave all needful advertisements about Johnson and other priests both to him and to Jerome Vane, a spy attached to the embassy. One day, when Sledd was loitering about London on his treacherous mission, he saw Johnson going through Smithfield in company with Catherine, sister of Sir John Petre, and wife of John Talbot of Grafton. He followed him till he saw a constable, whom he charged in the queen's name to arrest Johnson as a priest and traitor. The constable, at heart a Catholic, made all sorts of excuses; but on Sledd's threatening to report him to the recorder, he took up his staff, and told Sledd to show him the man who was to be arrested. Sledd did so, and was about to depart, when the constable told him he must follow to give the man in charge, and to bear the possible consequences of a false arrest and imprisonment. The true motive, however, was to expose Sledd as an informer to the mocks and jibes of the people, and to make his trade known to the world. So Sledd and the constable dogged Johnson's steps till he came to the Thames, and saw him hire a wherry to convey him over to Southwark, where Parsons and Campion were in council, with several other priests. Sledd told the constable to take another boat and row after Johnson; but the constable, guessing something of the errand on which the priest was bound, told his companion that he could not spend all the day dodging a man in a boat, perhaps to miss him at last; so he cried out to the bystanders to stop the traitor, and arrested him then and there. And though Johnson was taken, and thrust into a prison, from which he only emerged to pass through Westminster Hall to the scaffold, yet the lesson was not lost. Sledd was at once noted, and expelled from Catholic society before he had time to do much more mischief. A report of the capture soon reached the assembled priests, who broke up in disorder.

Amid such escapes it became clear to the friends of the fathers that London was no place for them; they were therefore counselled to shorten their stay there, and to despatch with speed such things as were to be considered or determined before their departure. They therefore collected in a little house in Southwark the gravest priests then to be found in London, among whom were Edward Mettam and Blackwell, afterwards the archpriest, and also "divers principal laymen, for their better satisfaction; for that sundry points of importance were to be discussed." *Quod omnes tangit, ab omnibus tractari et approbari debet*; and it was but na-

tural that in matters of common concern the clergy and laity should take common counsel at a time of danger, when the active coöperation of both classes was necessary in order to secure the interests of either. So far as the faith was concerned, there were no questions to discuss among the English Catholics in 1580. But questions of morals, worship, discipline, and political conduct, in which all were equally interested, urgently claimed at that moment the consideration and the agreement of all.

The first question to be discussed was the answer to be made, for the satisfaction both of Protestants and Catholics, to the rumour raised on occasion of the entrance of the Jesuits into the realm; it was said to be for treason, conspiracy, and matter of state, and not for religion. Sanders, in his book on the ecclesiastical monarchy, excuses the English Catholics for failing to support the rebellion of the great earls of the north, on the ground that they did not know of the Bull; and the English statesmen retorted that this want of information was diligently and cunningly supplied by sending the Jesuits and seminary priests into the realm. They said also that while a Bull was in existence, declaring that Elizabeth had no right or title to the crown, all who submitted, or were prepared to submit, to the authority which proclaimed it, were in their hearts secret traitors, and only waiting the occasion to declare themselves open traitors; which occasion it was necessary to remove, by preventing the secret promulgation of the Bull by the agency of the missionary priests. Moreover, it would be argued that the famous mitigation obtained by Campion and Parsons did not in the least affect the substance of the Bull, whereby the queen still remained excommunicate and deposed, but merely allowed the English Catholics to exhibit to her a temporary and conditional fealty and obedience (*rebus sic stantibus*) as long as they could not help themselves:—but the moment they could, or thought they could, or were told by the Pope that the time was come, then their obedience and fealty were to end; the censures were to resume their full force, and the queen was to be violently assailed. The mitigation would thus be made to appear like a truce obtained upon false pretences by one belligerent party, only in order to gain time to recruit his forces for a new attack. Moreover, it would be called absurd in the Roman missionaries to expect that their master's agents would be allowed all the privileges of a friendly power in England, while he and his agents in Ireland were carrying on an open war against the queen of both realms. It was to be feared that by these considerations “all their spiri-

tual and ecclesiastical functions might be brought into obloquy and hatred with the people, and much cruelty inflicted both on the said clergymen themselves when they should be taken, and on all other Catholics for their sake."

But to all this the fathers said they had but one answer to give: their public and private denial of any such intentions as were imputed to them. They therefore there and then made oaths before God, and the priests and laymen assembled, that their coming was only apostolical, to treat matters of religion in truth and simplicity, and to attend to the gaining of souls, without any pretence or knowledge of matters of state. After this oath, they exhibited the instructions they had received; and they declared that they had never heard of Sanders' passage into Ireland till they were at Rheims. This oath, they supposed, would be sufficient to content Catholics and dispassionate Protestants, and to assure them of the falsehood of the reports that were being spread; for they could never think that all these priests would make so light of their souls as to cast them away by wilful and spontaneous perjury.

But as for the Queen's Council and Bishops, whose interest it was to crush the Catholic religion and to defame its ministers, the only way against them was, if any of the fathers fell into their hands, that he should not only protest on his oath, but also stand to his denial before God and man, and challenge his adversaries to prove any single point against him,—which no man living would ever be able to do, because there never was such matter either in fact or thought. And as all this would go by unanimous verdict of a jury of twelve substantial Englishmen, they fondly hoped that a condemnation would be almost impossible, since they knew that no fact, attempt, or intention, however slight, could ever be proved.

And here one of the assembly objected, that considering the present hatred against priests, and its probable increase by the conversion of many to the faith, mere conjectures would be enough for a jury to condemn them upon. The fathers replied, that if conjectures and probabilities were to have place, it would be easy to bring conjecture against conjecture, and to refute less probabilities by greater. For instance, if foreign princes wished to send political emissaries, they would not choose mere scholars, nor send so many in so public a fashion; nor would ambassadors travel all the way from Rome afoot in servants' apparel. Again, if they were political emissaries, they must be sent to the Catholics alone; but what Catholic would ever listen to them if, after

the oath they had just taken, he were to see them meddling with matters of state?

"This," said Campion and Parsons, "is all the satisfaction we can give. And if this will not serve, we can only seal it with our blood; and if it comes to this, it will not signify whether we are believed, or whether, like our Lord and His Apostles, we are reckoned among the wicked, and put to death as the enemies of Cæsar."

The second point was practically, and for the time, the most important that this Council had to settle,—How far could it ever be lawful to go to Protestant churches, especially if the persecution should increase? Several pleas were alleged, and it was said that a man might go if he justly feared or knew that going was the one way to save his goods or person, or to redeem himself from intolerable vexation; that he would go only for external obedience to the prince and her laws, without respect to religion, just as he would go to any other profane place if commanded by the same authority, not to pray with or among the Protestants, but to repair thither only for temporal obedience. Or, if this was unlawful or not permissible, might not certain principal men, who were not likely to be hurt or infected, go thither at certain times, with protestation at their entering the churches that they went not for the sake of religion, but only by commandment of the prince, and no otherwise? Or lastly, if none of these ways were allowed, might not dispensation be had from the Pope to permit it, either generally in England, considering the difficulties and dangers that might beset such as refused, or at least to certain principal men who might have more urgent cause to ask such permission?

A negative answer was given to all these questions, and it was determined that nothing could ever justify a Catholic in attending Protestant worship in England. The religions, it was said, were different; the most learned foreign Catholics had been consulted; the Council of Trent had appointed a committee to deliberate, who had considered all the circumstances, and had come to this conclusion. The Pope was of the same mind, and would never grant a dispensation in so notorious a case, where men were called upon openly to confess or deny God's true religion by an evident and distinctive sign, and by the public act of attending an alien worship where the truth is impugned, and the Catholic Church defaced, calumniated, and ridiculed,—an iniquity in which no Catholic could acquiesce without damning his soul. The Catholic, therefore, however pressed to conform externally, ought to resist, at any peril or cost, and even to thank God

for so honourable an occasion of confessing Him, remembering that there is no dispensation from the law, "Whoever shall deny Me before men, him will I also deny before My Father."

The third point settled in the Council at Southwark was, whether the old English or the Roman rule of fasting was henceforth to prevail. In England, all Fridays were fasts, as well as several vigils that were not observed in Italy. Differences had already begun to grow in different shires, and the priests and good men could not agree about the course most proper for those days of danger. The old priests were proud of the store of national devotions and works of piety which had distinguished England above every other kingdom of the world, since St. Augustine our apostle, by command of St. Gregory, transplanted into it the flower of all the devotions that he had noted to be observed in any nation by which he passed. It was determined, therefore, that for the present nothing should be altered, in manner of fasting, from the old customs; but in the shires, wherever the different uses of York, Sarum, Hereford, or Canterbury and London used to prevail, wherever the Catholics remembered that Fridays or vigils were fasted, the same were still to be kept, and the priests were to be most forward in observing them. But where the memory had died out, no one was bound to fast, though the voluntary act was always commendable. This was not commanded, but only counselled, for direction of priests and preservation of unity, till God should open the door for an authoritative determination.

The fourth point was to determine the various districts that each priest was to frequent. It was agreed that there were three districts that ought specially to be attended to: Wales, because it was not attended to by the Protestants, or, indeed, by the Catholics; and because the ignorant inhabitants, though they had not yet apostatised from the faith, were so little attached to it that they might be led from it by the first preachers of heresy, if they were not previously strengthened by the missionaries. Secondly, Lancashire and the North, which had shown itself so forward in the Catholic cause in 1569. And thirdly, Cambridgeshire, already sapped with Puritanism, which had deeply tainted the University. To these districts the secular priests were sent. The two Jesuits seem to have been appointed to visit the whole country, for we shall trace them from London to Lancashire, and throughout the intervening places.

The last thing to be determined in the Council was the case of Mr. Cottam. He had landed at Dover with Dr. Ely,

Rishton, and Hart. But Sledd had caused a very particular description of the two last to be sent to the port, where they were stayed. Hart confessed, and was sent prisoner to London. But the mayor and searcher did not feel sure of Cottam, and so asked Dr. Ely (who under the name of Howard had passed and repassed more than once, and was not suspected) whether he would undertake to present him to Lord Cobham, the Warden of the Cinque Ports. Ely promised, and his host of Dover, who knew him as Howard, joined in giving security. But Ely thought it would be a greater offence to offer up to the persecutors an innocent priest than to break his promise to the mayor, and so let Cottam escape. But Cottam conceived some scruple about it; and so, as he still accounted himself a Jesuit, having been dismissed only for lack of health, with express promise to be again received when he was well, he sought Campion and Parsons, and told them the case. They submitted it to the Council, which, after consultation, determined that as he made no promise he was not bound to offer himself to so manifest a danger. This decision contented him for a time; but when he heard that the mayor and Dr. Ely were like to come into trouble for him, he consulted the fathers again, who this time permitted him to do as his conscience persuaded him; so with a merry countenance, and all alone, he went to the sign of the Star, in New Fish Street, and there offered himself prisoner to Mr. Andrews, a deputy of Lord Cobham, who carried him to the court, which was then at Oatlands. After three or four days he was committed to the Marshalsea, where he remained till he was arraigned and condemned for treason with Campion.

Shortly after the conclusion of this Council, Campion and Parsons entered upon the work of their mission among the country gentlemen of the shires, whom it was their great object to secure.

R. S.

Correspondence.

THE OATHS.

SIR,—In one of your late Numbers you called attention to the Irish Church Establishment. The existence of such a grievance marks Ireland as one of the most cruelly oppressed and ill-governed countries in Europe. You justly observed, that, until it be removed, “Irishmen cannot and *ought not* to be well affected to the constitution under which they live.”

In the present state of the political world, with the result of the late census on record, it is not likely that such an anomaly can long continue. The time cannot be far distant when the question for its removal must be urged upon the Legislature. There are, however, as there generally have been, Catholic members of both Houses of Parliament who would consider themselves precluded by their oath from taking part in such discussion. The absence of such members from a late memorable division in the House of Commons was fatal to the bill for the abolition of church-rates. The oaths which are now taken respectively by Catholics and Protestants, as a qualification for office, are the result of changes which from time to time have been made in former oaths ; and each seems still to need further amendment. Those several former oaths, if they will not occupy too much of your valuable space, I propose to submit to your readers, and to suggest some reasons why the present ones should be further amended or repealed.

The questionable clauses of the present Catholic oath are traceable to a "declaration of principles," which was published by the Catholics of Ireland about the year 1757. Sir Henry Parnell states in his *History of the Penal Laws* (p. 49), that it was proposed by Dr. O'Keefe, Bishop of Kildare, at a meeting held at Lord Trimbleston's, "to be signed by the chiefs of their body, and published as an answer to the misrepresentations and calumnies they had laboured under since the Reformation." He adds, that it was "unanimously adopted ; it was signed by many clergymen and gentlemen of rank and property, and sent to Rome as the act and deed of the Irish Catholics." It was republished in 1792.

At the time of its first publication, the oaths and declarations, required as a qualification for office, and taken and subscribed by Protestants, were the following, viz.

1. The Oath of Allegiance (1 G. c. xiii.).—"I, A. B., do sincerely promise and swear, that I will be faithful, and bear true allegiance to his Majesty King George : So help me God."

2. The Oath of Supremacy (1 G. c. xiii.).—"I, A. B., do swear, that I do from my heart abhor, detest, and abjure, as impious and heretical, that damnable doctrine and position, that princes, excommunicated or deprived by the Pope, or any authority of the see of Rome, may be deposed or murdered by their subjects, or any other whatsoever. And I do declare that no foreign prince, person, prelate, state, or potentate, hath or ought to have, any jurisdiction, power, superiority, preëminence, or authority, ecclesiastical or spiritual, within this realm : So help me God."

3. The Oath of Abjuration (1 G. c. xiii.).—"I, A. B., do truly and sincerely acknowledge, profess, testify, and declare in my conscience, before God and the world, that our Sovereign Lord King George is lawful and rightful king of this realm, and all other his Majesty's dominions thereunto belonging. And I do solemnly and sincerely declare, that I do believe in my conscience that the person pretended to be Prince of Wales, during the life of the late

King James, and since his decease pretending to be, and taking upon himself the style and title of King of England, by the name of James III., or of Scotland by the name of James VIII., or the style and title of King of Great Britain, hath not any right or title whatsoever to the crown of this realm, or any other the dominions thereto belonging: and I do renounce, refuse, and abjure any allegiance or obedience to him. And I do swear that I will bear faith and true allegiance to his Majesty King George, and him will defend to the utmost of my power against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, crown, or dignity. And I will do my utmost endeavour to disclose and make known to his Majesty, and his successors, all treasons and traitorous conspiracies which I shall know to be against him, or any of them. And I do faithfully promise, to the utmost of my power, to support, maintain, and defend the succession of the Crown against him the said James, and all other persons whatsoever; which succession, by an Act intituled, *An Act for the further limitation of the Crown, and better securing the rights and liberties of the subject*, is and stands limited to the Princess Sophia, Electress and Duchess Dowager of Hanover, and the heirs of her body, being Protestants. And all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever. And I do make this recognition, acknowledgment, abjuration, renunciation, and promise, heartily, willingly, and truly, upon the true faith of a Christian: So help me God."

4. The Declaration against Transubstantiation (25 Ch. II. c. ii.).—"I, A. B., do declare, that I do believe that there is not any transubstantiation in the sacrament of the Lord's Supper, or in the elements of bread and wine, at or after the consecration thereof by any person whatsoever."

5. The Declaration against Popery (30 Ch. II. c. i.).—"I, A. B., do solemnly and sincerely, in the presence of God, profess, testify, and declare, that I do believe, that in the sacrament of the Lord's Supper there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ, at or after the consecration thereof by any person whatsoever: and that the invocation or adoration of the Virgin Mary, or any other saint, and the sacrifice of the Mass, as they are now used in the Church of Rome, are superstitious and idolatrous: And I do solemnly in the presence of God profess, testify, and declare that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words read unto me, as they are commonly understood by English Protestants, without any evasion, equivocation, or mental reservation whatsoever, and without any dispensation already granted me for this purpose by the Pope, or any other authority or person whatsoever, or without any hope of any such dispensa-

tion from any person or authority whatsoever, or without thinking that I am or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person, or persons, or power whatsoever, shall dispense with, or annul the same, or declare that it was null and void from the beginning."

The Declaration of the Irish Catholics was as follows :

"Whereas certain opinions and principles, inimical to good order and government, have been attributed to the Catholics, the existence of which we utterly deny ; and whereas it is at this time peculiarly necessary to remove such imputations, and to give the most full and ample satisfaction to our Protestant brethren that we hold no principle whatsoever incompatible with our duty as men or as subjects, or repugnant to liberty, whether political, civil, or religious.

"Now we, the Catholics of Ireland, for the removal of all such imputations, and in deference to the opinion of many respectable bodies of men and individuals among our Protestant brethren, do hereby, in the face of our country, of all Europe, and before God, make this our deliberate and solemn declaration :

"1. We abjure, disavow, and condemn the opinion that princes excommunicated by the Pope and council, or by any ecclesiastical authority whatsoever, may therefore be deposed or murdered by their subjects, or any other persons. We hold such doctrine in detestation as wicked and impious ; and we declare that we do not believe that either the Pope, with or without a general council, or any prelate or priest, or any ecclesiastical power whatsoever, can absolve the subjects of this kingdom, or any of them, from their allegiance to his Majesty King George the Second, who is by authority of Parliament the lawful king of this realm.

"2. We abjure, condemn, and detest, as unchristian and impious, the principle that it is lawful to murder, destroy, or any ways injure any person whatsoever, for or under the pretence of being heretics ; and we declare solemnly before God that we believe that no act in itself unjust, immoral, or wicked, can ever be justified or excused by or under pretence or colour that it was done either for the good of the Church or in obedience to any ecclesiastical power whatsoever.

"3. We further declare, that we hold it as an unchristian and impious principle that 'no faith is to be kept with heretics.' This doctrine we detest and reprobate, not only as contrary to our religion, but as destructive of morality, of society, and even of common honesty ; and it is our firm belief that an oath made to any person not of the Catholic religion is equally binding as if it were made to any Catholic whatsoever.

"4. We have been charged with holding, as an article of our belief, that the Pope, with or without the authority of a general council, or that certain ecclesiastical powers, can acquit and absolve us before God from our oath of allegiance, or even from the just oaths and contracts entered into between man and man.

"Now we do utterly renounce, abjure, and deny that we hold or maintain any such belief, as being contrary to the peace and happiness of society, inconsistent with morality, and above all repugnant to the true spirit of the Catholic religion.

"5. We do further declare, that we do not believe that the Pope of Rome, or any other prince, prelate, state, or potentate, hath or ought to have, any temporal or civil jurisdiction, power, superiority, or preëminence, directly or indirectly, within this realm.

"6. After what we have renounced, it is immaterial, in a political light, what may be our opinion or faith in other points respecting the Pope ; however, for greater satisfaction, we declare that it is not an article of the Catholic faith, neither are we thereby required to believe or profess that the Pope is infallible, or that we are bound to obey any order in its own nature immoral, though the Pope, or any ecclesiastical power, should issue or direct such order ; but, on the contrary, we hold that it would be sinful in us to pay any respect or obedience thereto.

"7. We further declare, that we do not believe that any sin whatsoever committed by us can be forgiven at the mere will of any Pope, or of any priest, or of any person or persons whatsoever ; but that sincere sorrow for past sins, a firm and sincere resolution, as far as may be in our power, to restore our neighbour's property or character, if we have trespassed on or unjustly injured either ; a firm and sincere resolution to avoid future guilt, and to atone to God, are previous and indispensable requisites to establish a well-founded expectation of forgiveness ; and that any person who receives absolution without these previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating a sacrament.

"8. We do hereby solemnly disclaim and for ever renounce all interest in and title to all forfeited lands resulting from any rights, or supposed rights, of our ancestors, or any claim, title, or interest therein ; nor do we admit any title, as a foundation of right, which is not established and acknowledged by the laws of the realm as they now stand. We desire further that whenever the patriotism, liberality, and justice of our countrymen shall restore to us a participation in the elective franchise, no Catholic shall be permitted to vote at any election for members to serve in Parliament until he shall previously take an oath to defend to the utmost of his power the arrangement of property in this country, as established by the different acts of attainder and settlement.

"9. It has been objected to us, that we wish to subvert the present Church establishment, for the purpose of substituting a Catholic establishment in its stead. Now we do hereby disclaim, disavow, and solemnly abjure any such intention ; and further, if we shall be admitted into any share of the constitution, by our being restored to the right of elective franchise, we are ready, in the most solemn manner, to declare that we will not exercise that privilege to disturb and weaken the establishment of the Protestant religion, or Protestant government in this country."

The first Catholic Relief Act for Ireland (13 and 14 G. III. c. xxxv.) was passed by the Irish Parliament in the year 1774. The oath which it prescribed was reenacted in several subsequent Acts : and was the only Catholic oath for Ireland till 1793, and, with a few unimportant modifications, the only one for Great Britain till 1829. In the Irish Relief Act of 1793, which conferred on the Irish Catholics the elective franchise, an additional oath was prescribed. It was drawn up by Dr. Duigenan, an inveterate opponent of the Catholic claims, avowedly from the "Declaration," which had been republished the year before, and was afterwards called Dr. Duigenan's oath. The two oaths were the following :

1. The Catholic Oath of 1774 (13 and 14 G. III. c. xxxv).—
 "I, A. B., do take Almighty God and His only Son Jesus Christ, my Redeemer, to witness that I will be faithful and bear true allegiance to our most gracious Sovereign Lord King George the Third, and him will defend, to the utmost of my power, against all conspiracies and attempts whatever that shall be made against his person, crown, and dignity ; and I will do my utmost endeavour to disclose and make known to his Majesty, and his heirs, all treasons and traitorous conspiracies which may be formed against him or them : (2.) And I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the crown in his Majesty's family against any person or persons whatsoever ; hereby utterly renouncing and abjuring any obedience or allegiance unto the person taking upon himself the style and title of Prince of Wales in the lifetime of his father, and who since his death is said to have assumed the style and title of King of Great Britain and Ireland by the name of Charles the Third, and to any other person claiming or pretending a right to the crown of these realms : (3.) And I do swear that I do reject and detest as unchristian and impious to believe, that it is lawful to murder or destroy any person or persons whatsoever, for or under pretence of their being heretics, and also that unchristian and impious principle, that no faith is to be kept with heretics : (4.) I further declare, that it is no article of my faith, and that I do renounce, reject, and abjure the opinion that princes excommunicated by the Pope and council, or by any authority of the See of Rome, or by any authority whatsoever, may be deposed or murdered by their subjects, or by any person whatsoever ; and I do promise that I will not hold, maintain, or abet, any such opinion, or any other opinion, contrary to what is expressed in this declaration : (5.) And I do declare that I do not believe that the Pope of Rome,* or any other foreign prince, prelate, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or preëminence, directly or indirectly, within this realm : (6.) And I do solemnly in the presence of God, and of His only Son Jesus Christ, my Redeemer, profess, testify, and declare, that I do make this de-

* Neither the expression "the Pope of Rome," nor the subsequent terms "directly or indirectly," occur in any corresponding Protestant oath. They appear to have been taken from the foregoing "Declaration."

claration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted by the Pope, or any authority of the See of Rome, or any person whatever ; and without thinking that I am, or can be, acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or persons, or authority whatsoever, shall dispense with, or annul the same, or declare that it was null and void from the beginning : So help me God."

2. The oath commonly called Dr. Duigenan's oath (33 G. III., c. xxi.).—"I, A. B., do hereby declare that I do profess the Roman Catholic Religion. I, A. B., do swear that I do abjure, condemn, and detest, as unchristian and impious, the principle that it is lawful to murder, destroy, or anyways injure, any person whatsoever for or under the pretence of being an heretic ; and I do declare solemnly before God that I believe that no act in itself unjust, immoral, or wicked, can ever be justified or excused by or under pretence or colour that it was done either for the good of the Church, or in obedience to any ecclesiastical authority whatsoever : (2.) I also declare that it is not an article of the Catholic faith, neither am I thereby required to believe or profess that the Pope is infallible, or that I am bound to obey any order in its own nature immoral, though the Pope or any ecclesiastical power should issue or direct such order ; but on the contrary, I hold that it would be sinful in me to pay any respect or obedience thereto : (3.) I further declare that I do not believe that any sin whatsoever committed by me can be forgiven at the mere will of any Pope, or of any priest, or of any person or persons whatsoever ; but that sincere sorrow for past sins, a firm and sincere resolution to avoid future guilt, and to atone to God, are previous and indispensable requisites to establish a well founded expectation of forgiveness ; and that any person who receives absolution without these previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating a sacrament : (4.) And I do swear that I will defend to the utmost of my power the settlement and arrangement of property in this country as established by the laws now in being : (5.) I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment for the purpose of substituting a Catholic Establishment in its stead : (6.) And I do solemnly swear that I will not exercise any privilege to which I am or may become entitled to disturb and weaken the Protestant religion and Protestant government in this country : So help me God."

The Act for the establishment and partial endowment of the "Academy" of Maynooth (35 G. III. c. xxi.), entitled *An Act for the better education of persons professing the Popish or Roman Catholic Religion*, was passed by the Irish Parliament in the year 1795. The oath which it prescribed for the trustees and other officers, &c.

was that of 1774. The 8th clause of the Act provides, "That no person professing the Roman Catholic religion shall act as a trustee to the said Academy, and that no person shall act as a president of the said Academy, and that no person shall act as a master, fellow, professor, teacher, or tutor, or enjoy any place on the foundation of the said Academy, or be otherwise admitted into the same as a student, officer, or servant, until he shall have taken and subscribed the oath appointed by the Act passed in the thirteenth and fourteenth years of his Majesty's reign, entitled *An Act to enable his Majesty's subjects of whatever persuasion to testify their allegiance to him.*" In the year 1829 the present Catholic oath, common to the United Kingdom (10 G. IV. c. vii.), was substituted for it.

The two principal Catholic Relief Acts for England (18 G. III. c. lx., and 33 G. III. c. xxxii.) were passed respectively by the British Parliament in the years 1778 and 1791. The oaths prescribed by each respectively, subject to certain alterations and omissions,* were the same as the Irish oath of 1774.

Some time, however, before the Bill for the latter was submitted to Parliament, the Government appears to have had some misgiving as to whether the oaths and declarations of the British and Irish Catholics respecting the prerogatives of the Holy See were in accordance with the principles of the Catholic religion as believed and professed in Catholic countries; and Mr. Pitt had expressed to certain members of the Catholic Committee a wish that they would furnish him with "authentic evidence of the opinions of the Ca-

* The differences between the Irish oath of 1774 and the English oath of 1778 are these: In the first clause the English oath commences: "I, A. B., do sincerely promise and swear that I will be faithful," &c.; instead of "our Most Gracious Sovereign Lord," it has "his Majesty;" instead of "*and dignity,*" it has "*or dignity;*" and instead of "his Majesty and his heirs," it has "his Majesty, his heirs and successors." In the second clause the words "*and Ireland*" are omitted; in the third, instead of "*as unchristian and impious to believe,*" it has "*as an unchristian and impious position;*" in the fourth, the passage "*and I do promise that I will not hold, maintain, or abet,*" &c., is omitted; and in the sixth, the words "*and of his only Son, Jesus Christ, my Redeemer,*" the words "*or persons,*" and the words "*from the beginning*" are omitted.

The differences between the Irish oath of 1774 and the English oath of 1791 are these: In the first clause the English oath of 1791 is the same as that of 1778; in the second, instead of "his Majesty's family, against any person or persons whatsoever," we read "which succession, by an Act intituled *An Act for the further limitation of the Crown, and better securing the rights and liberties of the subject,* is and stands limited to the Princess Sophia, Electress and Duchess Dowager of Hanover, and the heirs of her body, being Protestants;" and the whole passage relating to the Stuarts, beginning with the words "the person," and ending with the words "and to," is omitted; in the third, instead of "*as unchristian and impious to believe,*" we read "*as an unchristian and impious position;*" and twice after the word "heretics" are added the words "*or infidels;*" the fourth clause begins with "*And I further declare,*" &c., and in the course of the clause the word "by" before "any authority of the See of Rome" is omitted; and in the sixth the omissions are the same as in the former oath; and instead of "*null and void,*" the words are "*null or void.*"

tholic Clergy and Catholic Universities with respect to the existence or extent of the Pope's dispensing power."

In pursuance of this request, three questions were sent to the universities of Paris, Louvain, Douay, Alcalá, Salamanca, and Valladolid. The questions were the following, viz.

"1. Has the Pope or Cardinals, or any body of men, or any individual of the Church of Rome, any civil authority, power, jurisdiction, or preëminence whatsoever, within the realm of England?"

"2. Can the Pope or Cardinals, or any body of men, or any individual of the Church of Rome, absolve, or dispense with his Majesty's subjects from their oath of allegiance, upon any pretext whatsoever?"

"3. Is there any principle in the tenets of the Catholic faith by which Catholics are justified in not keeping faith with heretics, or other persons differing from them in religious opinions, in any transaction either of a public or a private nature?"

These several questions were all answered by each university in the negative. The answers, with the arguments and authorities in support of them, are given in full in the Appendix to the second volume of Mr. Butler's *Historical Memoirs of the English Catholics*; they occupy more than forty pages. A few extracts from the first three answers to the first and second questions may probably suffice as specimens, and at the present time may be both interesting and instructive.

LOUVAIN.

"The Faculty of Divinity of Louvain, having been requested to give her opinion upon the questions above stated, does it with readiness; but is struck with astonishment that such questions should, at the end of this eighteenth century, be proposed to any learned body by inhabitants of a kingdom that glories in the talents and discernment of its natives.

"The Faculty being assembled for the above purpose, it is agreed, with the unanimous consent of all voices, to answer the first and second queries absolutely in the negative.

". . . . The Faculty esteems the following propositions to be beyond controversy.

"1. That God is the author of the sovereign power of the State in civil matters.

"2. That the sovereign power of the State is, in civil matters, subordinate to God alone.

"3. It follows, that the sovereign power of the State is in no wise (not even indirectly, as it is termed) subject to, or dependent upon, any other power, though it be a spiritual power, or even though it be instituted for eternal salvation.

"4. It also follows, that no power whatsoever, even a spiritual power, or a power instituted for eternal salvation, not even a Cardinal or a Pope, or the whole body of the Church, though assembled

in general council, can deprive the sovereign power of the State of its temporal rights, possessions, government, jurisdiction, or pre-eminence, or subject it to any restraints or modifications.

"5. It also follows, that no man, nor any assembly of men, however eminent in dignity and power, not even the whole body of the Catholic Church, though assembled in general council, can, upon any ground or pretence whatsoever, weaken the bond of union between the sovereign and the people, still less can they absolve or free the subjects from their oath of allegiance.

"6. Therefore, as in the kingdom of England, the sovereign power of the State stands upon the same foundation, and its nature is well known, the Faculty of Divinity at Louvain has no doubt to apply what has been said before, in its utmost extent, to the kingdom of England.

"Such is the doctrine which the Faculty of Divinity has imbibed from the Holy Scriptures, from the writings of the ancients, and the records of the primitive Church; a doctrine she will maintain with her last breath, and, by the help of God, will imprint it on the minds of all her scholars.

* * * * *

"The Faculty of Divinity of Louvain holds, that the principles laid down by her upon the positions before stated are not peculiar to herself; she believes that at this day there is no society of learned men, nor any one learned man, in the whole Catholic world who would not be ready to subscribe to them, as it is said, with both hands; and should any one, led away by preconceived opinions, withhold his assent from them, she must think him a man of no learning, unworthy of the name of a learned man, and unacquainted with the rich treasures of ancient literature.

"Given at Louvain, in an Assembly Extraordinary, this 18th November 1788."

DOUAY.

"Jan. 5, 1789.—At a meeting of the Faculty of Divinity of the University of Douay, &c.

"These questions first having been privately considered by each professor of divinity, and afterwards having been attentively discussed by the public meeting :

"To the first and second of them, the Sacred Faculty answers, that no power whatsoever, in civil or temporal concerns, was given by the Almighty either to the Pope, the Cardinals, or the Church herself; and consequently that kings and sovereigns are not, in temporal concerns, subject by the ordination of God to any ecclesiastical power whatsoever; neither can their subjects, by any authority granted to the Pope or the Church from above, be freed from their obedience, or absolved from their oath of allegiance.

"This is the doctrine which the doctors and professors of divinity hold and teach in our schools; and this all the candidates for degrees in divinity maintain in their public theses."

PARIS.

"1. Neither the Pope, nor the Cardinals, nor any body of men, nor any other person of the Church of Rome, hath any civil authority, civil power, civil jurisdiction, or civil preëminence whatsoever in any kingdom, and consequently none in the kingdom of England, by reason or virtue of any authority, power, or jurisdiction, or preëminence by Divine institution, inherent in, or granted, or by any other means belonging to, the Pope or the Church of Rome.

"This doctrine the Sacred Faculty of Divinity of Paris has always held, and upon every occasion maintained; and upon every occasion has rigidly proscribed the contrary doctrines from her schools.

"2. Neither the Pope, nor the Cardinals, nor any body of men, nor any person of the Church of Rome, can by virtue of the keys absolve or free the subjects of the King of England from their oath of allegiance.

"This and the first quære are so intimately connected, that the answer to the first immediately and naturally applies to the second.

"Given at Paris, in the General Assembly of the Sorbonne, held on Thursday, the 11th day before the Calends of March 1789."

The answers were sent to Mr. Pitt, and in 1791 an ample Relief Act was passed. It repealed most, if not all, of the penal enactments which prohibited the free exercise of the Catholic religion, and was afterwards not unfrequently called the Catholic Toleration Act.

From the two preceding oaths, viz. the Irish oath of 1774, with its English modifications, and the oath called Dr. Duigenan's oath, Sir Robert Peel compiled the present Catholic oath for the United Kingdom. It was enacted by the Catholic Relief Act of 1829 (10 G. IV. c. vii.); and by the same act the Protestant Declaration against Transubstantiation and the Declaration against Popery cited at the commencement of this letter (except with regard to certain offices from which Catholics are still excluded) were abrogated. The oath, *mutatis mutandis*, is as follows:

"I, A. B., do sincerely promise and swear that I will be faithful and bear true allegiance to her Majesty Queen Victoria, and will defend her to the utmost of my power against all conspiracies and attempts whatever which shall be made against her person, crown, or dignity; and I will do my utmost endeavour to disclose and make known to her Majesty, her heirs and successors, all treasons and traitorous conspiracies which may be formed against her or them; (2) And I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the crown, which succession, by an act intituled *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, is, and stands limited to the Princess Sophia Electress of

Hanover, and the heirs of her body, being Protestants ; hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the crown of this realm ; (3) And I do further declare, that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion that princes excommunicated or deprived by the Pope, or any other authority of the See of Rome, may be deposed or murdered by their subjects, or by any person whatsoever ; (4) And I do declare, that I do not believe that the Pope of Rome, or any other foreign prince, prelate, person, state, or potentate, hath, or ought to have any temporal or civil jurisdiction, power, superiority, or preëminence, directly or indirectly, within this realm ; (5) I do swear, that I will defend to the utmost of my power the settlement of property within this realm, as established by the laws ; (6) And I do hereby disclaim, disavow, and solemnly abjure, any intention to subvert the present Church Establishment as settled by law within this realm ; (7) And I do solemnly swear, that I never will exercise any privilege to which I am or may become entitled to disturb or weaken the Protestant religion or Protestant government in the United Kingdom ; (8) And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever : So help me God."

The fourth clause had been substituted for the Protestant Oath of Supremacy in the first Catholic Relief Act of 1774, and was afterwards adopted in all the subsequent ones for Ireland in 1778, 1782, 1792, and 1793, and in those for England in 1778 and 1791 ; and had probably been taken from the Declaration of the Irish Catholics. It was not a new modification of the Oath of Supremacy ; and it appears somewhat strange that Sir Robert Peel did not notice this circumstance, and other changes which had been made in the Oath of Supremacy, as taken by Protestants, in an interview with George IV., the day before he submitted to Parliament the outline of his intended measures. He informs us in his *Memoirs* (vol. i. p. 343) that the king had commanded himself, the Duke of Wellington, and the Lord Chancellor, to attend his Majesty at Windsor, . . . and "desired to receive from them a more complete and detailed explanation of the manner in which they proposed to effect the object they had in view ;" and that having learned from them that they "proposed to repeal altogether the declaration against transubstantiation, and to modify in the case of Roman Catholics that part of the Oath of Supremacy which relates to the spiritual and ecclesiastical jurisdiction of the Pope, he seemed much surprised, and said rapidly and earnestly, 'What is this ?—you surely do not mean to alter the 'ancient' oath of supremacy ?' They explained to him that "to all his subjects, excepting the Roman Catholics, the oath should be administered in its [then] present form ; and that the Roman Catholics should be required to declare on oath that no foreign prince or prelate hath any temporal or civil jurisdiction, power,

superiority, or preëminence within this realm." They added that "if the Roman Catholic was still required, before his admission to office or Parliament, to declare his belief that no foreign prelate hath or ought to have any spiritual or ecclesiastical jurisdiction, power, or preëminence, within this realm, the measure of relief would be unavailing, that an effectual impediment to the enjoyment of civil privileges would remain unremoved. The king observed, that be that as it might, he could not possibly consent to any alteration of the 'ancient' oath of supremacy."

Sir Robert Peel states that the interview lasted for five hours, and that there was uninterrupted conversation during the whole time; but it does not appear that they once informed or reminded his Majesty that, for the Catholics, the oath had already been altered more than fifty years, and that during that period Catholics had taken it in the altered form and no other.

The result of the interview was that they resigned their several offices. In the evening, however, the king wrote to the Duke of Wellington, requesting them to withdraw their resignation, and allowing them to proceed with the measures, of which notice had been given in Parliament. The measures were accordingly proceeded with, and the oath was enacted in its present form.

The Oath of Supremacy, however, in its then present form, was not so ancient as the king seemed to suppose. The oath was originally affirmative as well as negative; it not only denied the supremacy of the Pope, it also asserted that of the crown. Three several oaths to that effect were enacted within the first ten years after the schismatical assumption of the supremacy by Henry VIII., which were abrogated in the reign of Queen Mary (1 and 2 Phil. and Mar. c. i.). The form enacted in the first year of Elizabeth's reign (1 Eliz. c. i.) is as follows:

"I, A. B., do utterly testify and declare in my conscience that the Queen's Highness is the only supreme governor of this realm, and of all other her Highness's dominions and countries, as well in all spiritual or ecclesiastical things or causes as temporal, and that no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, power, superiority, preëminence, or authority, ecclesiastical or spiritual, within this realm; and therefore I do utterly renounce and forsake all foreign jurisdictions, powers, superiorities, and authorities, and do promise that from henceforth I shall bear faith and true allegiance to the Queen's Highness, her heirs and lawful successors, and to my power shall assist and defend all jurisdictions, preëminences, privileges, and authorities granted or belonging to the Queen's Highness, her heirs and successors, or united or annexed to the imperial crown of this realm: So help me God, and by the contents of this book."

By an Act passed in the third year of the reign of James I. (c. iv.), an additional and longer oath, to be tendered to recusants, was prescribed. It contained the following clause: "And I do further swear, that I do from my heart abhor, detest, and abjure, as

impious and heretical, this damnable doctrine and position, that princes which be excommunicated or deprived by the Pope may be deposed or murdered by their subjects, or any other whatsoever." And by a further Act passed in the first year of the reign of William and Mary (c. viii.), the two oaths were both of them abrogated ;* and a form, extracted partly from each, was substituted in their place. It was reenacted in the first year of the reign of George I., and is the form cited in the commencement of this letter. This also was abrogated in the year 1858.

The Oath of Allegiance and Supremacy which is now taken by Protestants is the following:

"I, A. B., do swear that I will be faithful and bear true allegiance," &c. (2.) "And I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the Crown, which succession," &c. (3.) "And I do declare that no foreign prince, person, prelate," &c. (4.) "And I make this declaration upon the true faith of a Christian: so help me God."

This oath is prescribed by an Act which was passed in the year 1858, intituled *An Act to substitute one Oath for the Oaths of Allegiance, Supremacy, and Abjuration; and for the Relief of her Majesty's Subjects professing the Jewish Religion*. It was wished by Catholics at the time that the third clause might be so worded as not to clash with Catholic principles, and that one and the same oath might be common to all parties. This, however, was refused; and by the sixth clause of the Act it is expressly provided, "that nothing in this Act contained shall be held to alter or affect the provisions of an Act passed in the tenth year of King George the Fourth," c. vii., *For the Relief of his Majesty's Roman Catholic Subjects*.

The third clause of this oath, in the plain and ordinary sense of the words, is unquestionably false. When it was tendered to Mr. O'Connell (in the former Oath of Supremacy), on his presenting himself to take his seat, as member for Clare, in the House of Commons, he openly declared that "it contained one proposition which he knew to be false, and another which he believed to be untrue, and therefore he refused to take it." (*Hansard*, Tuesday, May 19, 1829). Those two propositions have reference, one to a question

* Since the abrogation of Elizabeth's Oath of Supremacy, the clergy of the Establishment are the only parties who are required positively to acknowledge the supremacy of the Crown. By the 35th of the "Constitutions and Canons Ecclesiastical" of the Church of England, "no person shall hereafter be received into the ministry . . . except he shall first subscribe" three several articles, the first of which is the following, viz. "That the Queen's Majesty, under God, is the only supreme Governor of this realm, and of all other her Highness's dominions and countries, as well in all spiritual or ecclesiastical things or causes as temporal; and that no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, power, superiority, preëminence, or authority, ecclesiastical or spiritual, within her Majesty's said realms, dominions, and countries." The form of subscription is as follows: "I, N. N., do willingly and *ex animo*, subscribe to these three articles, and to all things that are contained in them."

of fact, the other to a question of right. With regard to the question of fact, viz. whether a foreign prince, or prelate, &c., *hath* jurisdiction, &c., the oath is as false when taken by a Protestant as it would be if taken by a Catholic. Its terms are so comprehensive, that if any one foreign prince, *or* prelate, &c., had any jurisdiction, *or* power, &c., ecclesiastical *or* spiritual, within this realm, how trivial soever such jurisdiction might be, and although it might be recognised but by one individual, the oath would of course be false. The well-known truth, however, is, that a foreign prince and prelate *hath* jurisdiction, *and* power, *and* superiority, *and* preëminence, *and* authority, both ecclesiastical *and* spiritual, within this realm; and whether his jurisdiction be considered in itself with reference to its own intrinsic nature, or with reference to the subjects over whom it is exercised (though it does not in the slightest degree trespass on the temporal or civil jurisdiction of the Queen), it is more comprehensive and of greater extent than any jurisdiction of a similar nature which is exercised or held by any *domestic* prince or prelate, or by all the domestic prelates together, with the sovereign of the realm at their head.

On what plea, then, it may be asked, or in what sense, do Protestants unscrupulously take the oath? They take it with a mental reservation, in a limited sense, which the words do not authorise; in a sense, indeed, in which Catholics might almost take it, viz. that “no foreign prince, &c. hath any jurisdiction,” &c. *which he can enforce by law in any temporal or civil court, “within this realm.”* In this limited sense, and with a similar mental reservation (if mental reservation in an oath be allowable), the oath might be taken by a Catholic as safely at least as the corresponding clause in the present Catholic oath. It amounts in reality to nothing more than a disclaimer of the Pope’s temporal or civil jurisdiction. His Holiness the Pope could not possibly enforce any act of jurisdiction in any temporal or civil court, unless he had such a court within this realm; and to have such a court would necessarily imply that he had temporal or civil jurisdiction. Now the Catholic oath expressly declares that he neither hath, nor ought to have, any temporal or civil jurisdiction, directly or indirectly, within this realm. But may it not perhaps be urged that the oath means nothing more than what Protestants understand by it? What an *oath* means is one thing, what the *parties who take it* mean may be another. An *oath* means what *its terms express*; and there is no authoritative or “legislative interpretation”* assigning to the oath in question any other than its literal meaning.

* Sir Robert Peel observes in his *Memoirs* (vol. i. p. 304), that in the [Catholic Relief] Bill brought in by Mr. Plunket, in 1821, “it was originally proposed to retain the [then] present oath of supremacy, and to require the Roman Catholic to take that oath, as a condition of his holding office, *there being inserted in the Bill a legislative interpretation of the oath*, importing that those who might take the oath should be understood to declare nothing more than they denied to any foreign prince any jurisdiction, temporal or spiritual, that could conflict with their duty of full and undivided allegiance. The Bill

With regard to the Catholic oath, I need not trouble your readers with any detailed explanation of its provisions. Catholics are not agreed respecting them, and there is no duly authorised interpreter. According to some parties, its questionable clauses have no practical meaning, and were never intended by its framers and proposers to affect members of Parliament in their legislative capacity. In the opinion of others, the self-same clauses have a restrictive meaning; and neither the oath itself, nor the Act which prescribes it, makes any exception in favour of members of Parliament. They consider that by the 6th and 7th clauses members of Parliament are morally debarred from speaking or voting in favour of any measures which are calculated to injure the Church establishment, or otherwise to disturb or weaken the Protestant religion. And if their opinion is correct, the oath is at variance with the principles of the Constitution; Catholic members, with regard to certain questions, are virtually disqualified; they are not on an equal footing with their Protestant fellow-members; they are, as it were, but half-members of Parliament; and their constituents are but half represented. These are so many unconstitutional anomalies; and before another Bill for the abolition of church-rates, or for any other such beneficial measure, be lost, the oath ought to be either satisfactorily explained or repealed.

Oaths ought not to be nugatory, nor too comprehensive; they ought to express neither more nor less than they are intended to mean. The present oaths of office are defective in these respects. The Catholic oath is either a nullity or an unconstitutional grievance; and the Protestant oath, as O'Connell observed, contains one proposition which all the world "knows to be false," and another which most Christians "believe to be untrue." Both the oaths ought to be abrogated; and the only oath which should be substituted for them, to be taken by Catholics and Protestants alike, should be one short and simple test of civil and constitutional allegiance.

T. L. G.

Literary Notices.

The Christian Church and Society in 1861. By F. Guizot. (London: Bentley, 1861.) M. Guizot's work is divided, in substance though not in form, into three parts: an appeal to Protestants, and especially French Protestants, to make common cause with Catholics in resisting the advances of rationalism; an argument that the preservation of religious liberty in Europe is essentially connected with the maintenance of the temporal power of the Pope;

was afterwards altered in this respect; and . . . the legislative interpretation was abandoned." Sir Robert adds, that he thinks "an alteration of the oath preferable to a legislative interpretation."

and a condemnation of the part which the Piedmontese Government has taken in the Italian Revolution. With the first of these we are not concerned. M. Guizot's appeal to his co-religionists has failed, and it is therefore needless to discuss the terms, or to speculate on the consequences, of such an alliance as he suggests. But we cannot altogether sympathise with him on either of the other two points. We should be among the last to quarrel with his strictures on the Piedmontese policy; but we cannot regard the creation of an Italian Confederacy as a legitimate object for the active intrigue of foreign nations. We may doubt the possibility of any other satisfactory solution of existing difficulties, and we certainly execrate the means by which the Piedmontese Cabinet has sought to carry its own conclusions into effect; but the choice between a confederation and a monarchy must lie ultimately with the Italians themselves. If, to use M. Guizot's words, "when millions of people have borne for ages the same name, spoken the same language, regarded the same eminent men as their fathers, and the same masterpieces of mind as their common glory, it is an ungracious task to refuse their intimate relationship and title as a nation," it is hardly less so to prescribe the exact character and limits which that relationship shall assume, even though it may take a form "equally repugnant to French interests and principles." Nor do we think that M. Guizot has proved his point with respect to the temporal power of the Pope. It is obvious that any satisfactory settlement of the Roman question must, in the first instance, secure two things: Catholics must have a guarantee for the perfect freedom of the Holy See in its communications with them; and statesmen must have a guarantee that none of the great powers shall have an exclusive, or even a greatly preponderating, influence on the Papal policy. Of course, any interference with the first of these requisites would be an interference with the constitution of the Catholic Church, and therefore, *ipso facto*, an interference with the religious liberty of Catholics. But M. Guizot goes far beyond this. He asserts, if we understand him rightly, that the continuance of the temporal power of the Holy See, in the form which it has hitherto assumed, is necessary for the religious freedom of Catholics in other countries; that without it they could have no security for the liberty of organisation, the liberty of association, or the liberty of instruction. If this be so, we are driven to the conclusion that the only possible security is at best an indifferent one. It has not prevented the confiscation of monasteries in Piedmont, the prohibition against receiving novices in Spain, or the interference with the Society of St. Vincent of Paul in France. The freedom of the Holy See must be upheld on its own grounds; but its temporal power is altogether a different thing, and M. Guizot himself says that the true secret of the preservation of religious liberty in the different countries of Europe is "the provident union, the free speech, and the active courage of sound minds and honest hearts."

But it is difficult to reconcile the indispensable conditions of

liberty with the revolution. The revolution teaches that a government, however good, may be subverted by its subjects; while the revolution lasts, therefore, good government is no security for the Holy See, and the Pope must depend on foreign aid.

The revolution also proclaims the right of larger to absorb smaller states, on the pretexts of the wish of the population, of nationality or ethnological connexion, and of rectification of frontiers. Therefore the Pope can no more depend on his neighbours than on his own subjects. The revolution also proclaims the doctrine of non-intervention; that is, it forbids strangers to intermeddle in the intestine broils of a people, or in the quarrels of kindred and neighbouring nations and races. Therefore, while the revolution lasts, the Pope cannot depend on foreign aid, whether of his neighbours or of distant states.

Again, the guarantee of the liberty of the Pope in the middle ages was his authority over all the faithful. When this failed, the Borgias and Julius II. set up the temporal sovereignty, and guaranteed the stability of the States of the Church by a system of alliances which developed into the theory of the balance of power. But alliances depend on treaties; and treaties are useless when they are not held to be binding. But the revolution holds that treaties are not binding when they are inconvenient to the State; therefore the guarantee which the Popes had in the "balance of power" for the independence of their State (which State was, in its turn, the guarantee of their spiritual independence) is lost while the revolution lasts. The question that European statesmen have to settle now is, what system is to be substituted for that of the balance of power, supposing that system to be henceforth impossible, and what, under the new system, is to be the guarantee of the spiritual independence of the Pope? We cannot say that M. Guizot's essay throws much light on this, which is the real obscurity of the present political night.

Dr. Stanley has published his *Speech delivered in the House of Congregation, on the Endowment of the Regius Professorship of Greek*, at Oxford. It is short and to the point, and in its concluding sentences refers to a fact which, were it not for the infatuation which sometimes seizes on religious communities, would fill the supporters of Anglicanism with the deepest apprehensions. "No one," says Dr. Stanley, "can regret more deeply than I do the unsettled state of belief in the rising generation, *or the steadily increasing alienation of our best and ablest young men from the profession of holy orders.*" The words which we have marked in italics do, indeed, only repeat a statement with which we have long been familiar; but it is instructive to find it thus prominently brought before the University of Oxford by one of her most distinguished professors. There can be no doubt that the Church of England is becoming less and less a religious power in the State. We do not say that she is becoming less of a social, or educational, or political power; but that as a teacher of a theological creed she is rapidly

losing all influence on the minds of the more educated classes of society. Few things can be more suggestive of some irresistible internal convulsion in a religious body than an increasing alienation of earnest and thoughtful minds from its ministry. Up to the present generation, the influence of the Anglican Church has, on the whole, gone to maintain the substance of that theology which she holds in common with Catholicism, with the Oriental Churches, and with those who term themselves the orthodox Dissenters.

That the intellect of England is gradually ceasing to regard that system with any prepossession in its favour, is shown, as by many other phenomena, so especially by this distaste for a well-paid and respectable profession. What will be the results on the moral and social *life* of English society no eye can foresee. For ourselves, we cannot but think that it may be of the most serious description.

It is not, again, merely the ablest young men who decline the clerical profession. Dr. Stanley says it is "the *best* and ablest." Why is this? We believe that the cause is, to a great extent, to be found in the attitude of the dominant parties of the clergy of the Establishment. Whatever they may say to the contrary, they leave the impression on the zealous and youthful mind *that they are afraid of truth*, afraid of facts, afraid of reasoning, and afraid of toleration. Hence the young graduate hesitates to commit himself to the professional upholding of a system which he shrewdly suspects may be neither more nor less than a conventional creed, adapted to the ignorance and superstition of the unenlightened, but unable to command the belief of the well-informed. That this is the natural result of the attitude assumed by the Anglican prelates and clergy in power can hardly be disputed. But woe be to the religious community wherein stupidity, dulness, and wilful obscurantism hold the highest places! Prudence is one thing, timidity is another. Genius may not always be the best qualification for high office, especially in ecclesiastical matters; but one thing is necessary for those who would retain the allegiance of the young mind of England, namely, a courageous readiness to face facts, to meet difficulties, instead of shirking them, and a cordial sympathy with the difficulties of those who, if they are liable to be warped by enthusiasm and novelty, are certain to be repelled by coldness and unfairness on the part of those who govern them. As we see little sign that the high places in the Anglican Church are likely to be filled by men who can master the difficulties of their position, we cannot but anticipate a general loosening of religious bonds throughout the entire fabric of English society.

Horæ Subsecivæ. By John Brown, M.D. Second Series. Dr. Brown is a man well worth listening to, notwithstanding two tiresome infirmities which have annoyed us as we read his volumes. He keeps a commonplace book, and floods us with quotations from it; and he tends unmistakably to the emphatic and exaggerated school of North-British eloquence. There is a pretension about

many of these clever papers which is unworthy of a writer who has so much in him, and who appears to be a thorough, genuine man, even if not altogether a "full man." Moreover, he has so keen a sense, not only of a good joke, but also of the beautiful and poetical, and can write, now and then, such charming bits of pathos,—witness the little tale "Rab and his Friends,"—that we are doubly provoked at his iterations, and his inability, when he has said a good thing, to let well alone.

Of good things, these *Horæ Subsecivæ* contain many; and whenever the author can fairly get rid of his love for quotations, they come more thickly than in ninety-nine out of every hundred books we meet with. At p. 189, vol. i., he calls the instinct of philosophy "the true *venatic* sense of objective truth;" and in another place he says that Sedgwick happily "took the wind out of what was tympanitic" in the *Vestiges of Creation*.

One of Dr. Brown's most amusing papers is his sketch of Dr. Chalmers. The portrait is not merely lively and full of characteristics, but is instructive, as showing what is the *kind* of men who win a great practical influence in their generation. Here we have a bucolic audience to the life. "The kirk was as full as it could hold. How different from a brisk town congregation! There was a fine leisureliness and vague stare; all the dignity and vacancy of animals; eyebrows raised and mouths open, as is the habit with those who speak little and look much, and at far-off objects." We know few things better, as a scene, than this.

In discussing the kind of education most desirable for members of the medical profession, Dr. Brown strenuously maintains that a confined study of purely medical science, however extensive and profound in itself, produces far inferior men, as practical healers of disease, than that professional teaching which is based on a general liberal education. His ground is precisely that of all others who take the same view of the effects of liberal studies, viz. that no substitute can be found which will equally sharpen and deepen the powers of the mind. Knowledge of any one science, medical or other, however exact and extensive, fails to impart the requisite culture to the *man*. Above all, he says, cultivate the man, in his intellectual completeness and his active strength. "Pray, Mr. Opie, may I ask what you mix your colours with?" said a brisk *dilettante* student to that forcible portrait-painter. "With brains, sir," was Opie's gruff reply; and, as Dr. Brown holds, it was the right one.

The Life of Edward Forbes. By Dr. George Wilson and A. Geikie. Edward Forbes was an excellent type of the higher class of those naturalists whose position in the "cosmos" of European thought is daily becoming more prominent and influential. To minds which have none of the genuine "naturalist" feeling, it is difficult to imagine men of energetic intellect and elevated moral aspirations devoting themselves to the study of animalcules, or toadstools or sea-anemones, with all the ardour of a metaphysician or a theologian. That research into small marine monsters should

be the object of a voyage to the Isles of Greece, would seem a token of something like fatuity to those who know nothing of the charms of science. And, no doubt, it may appear hardly worthy of the divine spark within us to devote days and nights to what we call the lower orders of creation, if the study ends in itself, or in a mere catalogue of the peculiarities of species, or the grouping of genera.

Forbes was not of this class of mere observers. His biographers justly call his mind Platonic in its character. His habit was to discern in the natural world a representation of the eternal types, which, according to the Platonic philosophy, have existed, and do exist, in the Divine Author of Creation. Though, as in the case of most men of science, he took little interest in the theological questions of the day, this cast of his mind was clear and undoubted, and entitles him to a place among the philosophical class of scientific naturalists.

The history of his struggles to make a livelihood from the cultivation of natural history, so soon as family resources failed, is full of interest, both as a picture of life and from the unaffected simplicity and heartiness of his character. He is also remarkable as having made two false starts in life,—first, as a painter, and then as a doctor,—and finally succeeding as a Professor of Natural Science. He has been unfortunate in his biographer. Dr. Wilson, to whom the larger portion of this thick volume is due, is fearfully tedious and expository, not to call him a book-maker. The book is at least four times as big as it ought to have been, and if its author had lived to complete it, might have been bigger still. Dr. Wilson had a taste for “powerful” writing; and though his materials for the actual life are scanty, he has contrived to produce paragraph after paragraph from fragments of accounts of the spending of shillings and half-crowns, and can build a theory on a couple of words.

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The plan which Mr. Thornbury has adopted is to print every scrap of information he could get together respecting the subject of his memoir, with every body's remarks in connexion with him, frequently appropriating whole passages of previous writers; with these he intersperses all the astonishing rubbish which Turner perpetrated and called poetry, every trivial note or letter that he

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With all this, we must do Mr. Thornbury the justice to say, that he has given a portrait of the strange man and wonderful painter which is probably very near the truth, and is not wanting either in force or detail. The mind of the man who is without a rival in presenting the glories of the creation in all their extremest beauty, was a congeries of the base, the tender, the generous, the miserly, the dishonest, and the sensual. The latter portion of his nature Mr. Thornbury discreetly veils ; but it is sufficiently prominent nevertheless. The stories Mr. Thornbury tells of Turner's eccentricities, his readiness in his wit, and his rude yet not ill-natured bluntness, are many of them new to the general reader. His acts of occasional munificence are less known still. And least of all were we prepared to find the painter of the "Liber Studiorum" positively altering with his own hand the lettering of the plates of his pictures, so as to pass off impressions from the worn-out metal as early copies. The whole life is a melancholy history ; and few things we know are more characteristic of the difference between a man and his works than the fact, that the painter of the "Old Téméraire" is handed down to posterity (in Baily's statue) with a countenance suggestive of an idealised satyr in a coat and double-breasted waistcoat.

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of the book we were not disappointed. He tells agreeably enough the story of his birth, parentage, and education ; his hereditary Judaism, and his adopted Christianity ; including a truly *naïf* account of the exquisite dogmatism and self-reliance with which he practised his theological eclecticism from his boyhood upwards. "Wolff"—as he ever calls himself—is both the Boswell and the Johnson of his autobiography ; a very small Johnson, and an exaggerated Boswell. None but a Jewish Boswell could, with such vanity, parade his own abundant lack of modesty ; for Boswellism, sporadic among us, is endemic in the Hebrew race. Of all the precepts of the son of Sirach, none sinks deeper into the mind of a Jew than the one that tells him that it is more foolish to hide his wisdom than it is wise to conceal his folly. Wolff also is as good an instance of the intellectual as he is of the ethical character of his people. He has in perfection that sensuous, visual mind, transforming ear into eye, which only catches form and colour, never the inward essence of a thing ; which can paint passion and personify feelings, but can never analyse a conception. This Jewish colouring gives his book quite a biblical hue ; it is essentially Hebrew in the materialism of its metaphor, and in its abrupt generalisation of accidental details. A Jew may naturally address his "suffetes" as "Ye who ride on white asses," and an English humorist might jocularly address the bench of judges as "Ye who wear wigs and ermine :" but what Western would ever make a point of a man's moral character out of Father Hofbauer's habit, who "always knitted his own stockings, sitting on a sofa of black leather" ? Every thing that Wolff sees in a man seems equally personal to him ; there is no distinction of substance and accident ; there is no perspective. He "sees men as trees walking"—he looks for bark and leaves where others look for meaning. His realism is perfectly truthful ; he does not make himself out, as a hero and a convert from Popery might be tempted to do, to be a martyr to Papal tyranny at Rome, where he gradually found himself more and more out of his element ; on the contrary, he makes it abundantly clear that his departure was a relief to the authorities. Evidently it hardly occurs to him to use the vulgar controversial expedient of blackening his enemies, in order to bring out his own brightness by the force of contrast. "Wolff" is a being so far removed from the common fallible herd, and his powers are so truly of the heroic type, that he can well afford to record an occasional error, and disdains to calumniate a foe. He often speaks so enthusiastically of Catholic doctrines and practices, as to warrant the suspicion that he judges them best in themselves, and, perhaps, almost necessary for Gentiles ; while for him, a Hebrew of the Hebrews, a chosen scion of the tribe of Levi, it is enough to bear the Christian name, while he leaves himself free to pitch his tent within the borders of any Christian sect, attached to none, but belonging to all, because, as an inheritor of the promises, he is in some way superior to all, a "chartered libertine" of the kingdom of heaven.

After his early history, and his first proceedings in England, he becomes comparatively dull and prosy. His Oriental journeys exhibit him as an adventurous traveller rather than a missionary; a forerunner of Livingstone, rather than a follower of St. Francis Xavier, whom he wished to imitate. His observations are always interesting; but his personal history becomes a mere recital of his eclecticism, working restlessly among Jews and Gentiles, and producing just the result to be expected,—that is, no result at all.

What country but England would produce, at least in any thing like the same numbers, the class of works of which we have specimens in the three remaining volumes of "Lives" now lying before us, but which, we must confess, we have only skimmed? Who *could* read them throughout save the members of that wide-spread community for which such books are provided? They are "religious biographies," in the popular sense of the term; Evangelical Saints' Lives; records of preachings; "spiritual" letters, and "spiritual" diaries,—of the approved type, and serving the purpose of breaking the monotony of the lives of the dullest and most prosaic of our race. The *Life and Letters of John Angell James*, edited by R. W. Dale; the *Memorials of the Rev. Joseph Sortain*, by B. M. Sortain; and the *Memorials of Sergeant William Marjouram, Royal Artillery*, edited by Sergeant William White,—are but a repetition of the same thing which we have met with scores and scores of times before, with only the usual minute variations. They are fair specimens of the Evangelical system of the present day, in its nonconformist embodiment, and freed from the more consistent, but more repulsive, extravagances of its early youth. Mr. James was all his life a great light among the Independents, and especially at Birmingham, where, as we learn from his memoirs, he instigated Achilli's prosecution of Dr. Newman. He is a favourable sample of modern Dissent; a straightforward, honest, religious, man, his doctrinal system modified by his conscience, and his use of the dissenting and evangelical Shibboleths as moderate as is perhaps possible in a sincere adherent to the party and its principles. His photograph, prefixed to the Life, shows a rough, sensible, fierce, and good-natured face, and completely falls in with the rational and candid sketch of his character written by his son, and here printed.

Mr. Sortain was the most accomplished person whom the Methodist body has for a long time produced; and his chapel at Brighton attracted listeners who rarely enter any thing in the shape of a conventicle. He *was* a Dissenter, and that was all; for his affections and his tastes were at least as much with the Established Church as with any of her nonconformist enemies.

Sergeant Marjouram was a preaching soldier in the Artillery, who was quartered in New Zealand, and who seems (if his own statements are correct) to have been accounted a good soldier by his officers, and to have been patronised by many of them in his religious labours among his comrades. The book consists chiefly

of his "diary," which is in the approved commonplace style of mild emotionalism, and dull to the last degree.

Dulness may be safely predicated of all books of every kind belonging to the Evangelical party, to such a degree that one might almost doubt whether one peculiar form of intellectual dulness does not lie at the root of the whole Evangelical system, wherever it is found. Its leaders and followers ever have been, with scarcely an exception, men of deficient minds. They are not always stupid, they are seldom exactly silly, they are sometimes even clever, and sometimes tolerably well cultivated. They are often energetic and laborious, and they sometimes heartily dislike what they consider cant and religious humbug. Now and then they are even liberal in their views and feelings towards those who are not of their persuasion.

Their characteristic is a total want of the poetical, the philosophical, and the artistic faculty. To them three-fourths of the universe are without meaning. Man was created to preach, to be preached to, and to be preached at; this is their theory of the final cause of humanity. Now and then, one of the school can understand a joke; but it is their view that the devil made laughter before he invented quadrilles, whist, and the Opera. If any of our readers are inclined to think that we are over-stating the case, we ask them to take every possible opportunity of reading the writings of the school; and we are convinced that they will agree with us that, whatever its faults and variations, a peculiar, hard, dry, unimaginative—in a word, *dull*—element pervades it throughout, and goes far to account for its special character. In fact, take first the pagan notion of the Divine Nature, with the Lutheran theory of justification which thence results, add thereto an inability to comprehend any thing that is not found printed in the English language, with a certain pig-headed sincerity and self-willed religiosity, and an irrepressible desire for some inward emotion to make up for the loss of other joys, and you have as a result the Luthero-Calvinistic theory toned down to the English standard of the nineteenth century.

Great Expectations. By Charles Dickens. If we were asked to name the walk in which English literature has in late years most distinguished itself by the side of the literatures of other European countries, we should be disposed to give the palm to our novelists. Not that their works form the most important body of books in positive value; but, in comparison with what is done in other countries, they have carried their peculiar matter to a pitch of excellence unknown elsewhere. In this excellence we must give a very high place to the moral respectability that characterises all our great novelists since Bulwer's reformation, with only so few exceptions—perhaps Curren Bell, and perhaps Kingsley—that they serve rather as a foil to the rest. But this respectability was not in fashion when "Boz" began to write; then, the corrupt Bulwer was in the ascendent, and the author of *Pickwick*, to his immense credit,

resisted and overcame the evil influence, and won the foremost place in popularity, without pandering for a moment to the prevailing taste for indecency. The thorough youthfulness, fun, and animal spirits of *Pickwick* will always make it the characteristic work of the author; but it is not so decidedly his best book as to deserve to be always referred to as such. Nancy refusing to be delivered from Sikes, when her love for the child had brought her a chance of redemption, and Charley Bates turning against the murderer, are in a higher style than any thing in *Pickwick*.

But both the fun of *Pickwick* and the genuine pathos of *Oliver Twist* soon degenerated into a tedious reiteration of some superficial absurdity that does duty for humour, and into the pathos of a melodrama at a minor theatre. We trace this fall partly to Mr. Dickens's views about religion; he reminds us of certain Germans of the last century, of whom we may take Herder as the type: they saw no divine element in Christianity, but they made humanity their God, and so made their religion simply human, and taught that man was perfectible, but childhood perfect. So they used to die full of benevolence for all men, and of admiration for the sun, the moon, their children, their dog, and their home. They hated intolerance, exclusiveness, and any positive religion. With a comprehensive charity they embraced all mankind, and branded with the same condemnation both the mutual excommunication of different faiths and the distinction of ranks, as treasons against the broad human nature that was common to all alike. They professed a kind of natural religion, adorned with poetry and enthusiasm, quite superior to the narrowness and lowness of Christianity.

Mr. Dickens is very like these men. Nothing can be more indefinite or more human than his religion. He loves his neighbour for his neighbour's sake, and knows nothing of sin when it is not crime. Thus one whole lobe of the human soul is dark to him; he cannot see a whole character, or perhaps has disabled himself from seeing it by his persevering purpose to write up his own particular views. This partly explains his defects of humour—his giving us so few characters and so many caricatures. And these caricatures have been the winding-sheet and the leaden coffin of his humour. For what fun can any one person find in describing a man by an ever-recurring absurdity, by his ever sucking his thumb, by his having a mouth like a letter-box, or by his firing a gun at sundown? It is the mere poverty of an imagination self-restrained to one narrow field of human nature, that makes him search curiously for such follies, and ransack newspapers for incidents to put into his books. A novelist of a more creative genius describes not a particular individual, but a general character, summed up in one, but fitting many, like Major Pendennis.

It is the determination to make every thing subservient to this fetishism of sentimental civilisation that spoils not only the humour of Mr. Dickens, but the temper of his intelligent readers. They do not choose to be insulted with the negative sermons of

those pathetic death-beds which are made so much happier by the want of all spiritual assistance, and where the "babbling of green fields" is the all-sufficient substitute for the sterner truths of which dying Christians naturally think.

Yet, with all his faults, we should be puzzled to name Mr. Dickens's equal in the perception of the purely farcical, ludicrous, and preposterously funny, though not so much now, perhaps, as in the days when he had not adopted the stage-trick of putting some queer saying into his characters' mouths, and making them utter it on every possible occasion. It is by a partial flickering up of this bright gift that *Great Expectations* has proved an agreeable surprise to so many of his readers. The story is as exaggerated and impossible as any he ever perpetrated; it is uncomfortable, too, and abounds with those tedious repetitions to which he has become so grievously addicted. Mr. Jaggers is always biting his forefinger; Provis begins his speeches with a stereotyped phrase. But there is some very good fun in the story, nevertheless; not jovial, not hearty, not Pickwickian indeed, but really comic, and sufficient to excite a pleasant quiet laugh on a dull winter-day. Wemmick, the lawyer's clerk, who lives in a cockney castle at Walworth, and fires off his gun at sundown every night, is a conception, barring the last characteristic, worthy of Dickens's happiest days. The walk to the wedding is delicious. And, on the whole, then, we may rejoice that even in Mr. Dickens's ashes still live his wonted fires. Perhaps, if he would but lie fallow for a year or two, and let his thoughts range at will, and eschew every thing that is tragic, sentimental, or improving, especially in his particular line of improvement, we need not despair of seeing a still more lively reproduction of the delightful absurdities with which he charmed his readers a quarter of a century ago.

Current Events.

FOREIGN AFFAIRS.

The Piedmontese Ultimatum to the Holy See.

The Governments of France and Italy are contesting with each other the possession of the Holy See on their territory, and that protectorate over it, that *advocatio Ecclesiæ*, which was the glorious function of the successors of Charlemagne. As the precarious state of the health of Pius IX. was expected to hasten the moment when the toils of Napoleon III. would close upon the conclave, and when a new Pope would be solicited to entrust his throne to the liberal guardianship of the power that has protected Rome against Sardinia, it was time for the ministers of Victor Emmanuel to offer every concession and every security that could make an arrangement possible between the spoilers and their victim. It is so strongly their interest to obtain the surrender of all the papal dominions, that they may be sincere in the terms they propose. The political system adopted at Turin since 1848 having accomplished its work of representing Piedmont as the asylum and the stronghold of Italian freedom, and having given to ministers the power necessary to obtain the fruits of that position, some things may be modified, some points surrendered, in order that the means by which the object has been attained may not prevent its being permanently secured. It is therefore perfectly conceivable that the best of the Italian statesmen may believe that the proposals of Ricasoli are the most favourable and satisfactory arrangement which the Church can expect. Admitting the loss of the temporal power to be final, they are all that can be conceded without totally sacrificing the spirit of the Sardinian laws, or confessing their incompatibility with the freedom of the Church. We may be sure that there are thousands of religious men who earnestly wish that they may ultimately be accepted.

Baron Ricasoli, in his letter to the

Cavaliere Nigra, accompanying his proposals, founds the claim to the possession of Rome on the sovereignty and unity of the nation, and he consistently points to the inability of a Government which recognises those principles to restrain the popular desire for their realisation.

"The logic of national unity, of that sentiment which will henceforth predominate in the breasts of the Italians, does not admit of this unity being broken by the existence in the heart of the kingdom of a heterogeneous and, what is more dangerous, of a hostile State. . . .

"In this state of things, considering the incontestable right of the Italians, as a nation, to possess Rome, and consequently the duty which forces the Italian Government to aim at this result,—in presence of the unanimity of the public opinion, and in order to avoid serious troubles and commotions, which must ever be deplorable, even when they are repressed or prevented,—the Government now makes a last appeal to the uprightness and to the kindness of heart of the Pontiff, for the purpose of bringing about an understanding concerning the basis of the full liberty of the Church on the one hand, the Italian Government renouncing all part in religious matters, and on the other hand concerning the renunciation of the temporal power. . . .

"You will also please to impress upon it that the Government of the King, if unhappily this last attempt should not succeed, would find itself placed in a position of great difficulty; and that, notwithstanding its goodwill in endeavouring to lessen the painful consequences which a refusal on the part of the Court of Rome would probably produce both in religious and political matters, it would not be able to prevent the public spirit of the Italians from being roused to a sense of deep emotion."

The terms themselves are proposed in a letter to the Pope, in which the writer says:

"The rights of nationality are imperishable, and the See of St. Peter, in virtue of a Divine promise, is equally so. . . .

"If at every progressive step of society the Church were not able to create new forms on which the successive states of social life might be founded, it would not be a universal and eternal institution, but a fleeting and passing establishment. God is essentially immovable; but, nevertheless, He displays an infinite fecundity in the creation of new substances, in the production of new forms.

"Up to the present time, the Church has given brilliant and abundant proofs of this fecundity, by wisely transforming herself in all her points of contact with the secular world at every new evolution of society. Would they who pretend now that she ought to remain immovable dare to affirm that she has never changed in her exterior or relative forms? . . . But when society had arrived at a more advanced stage, when it had exercised and enlightened its reason, the want of the clerical guardianship ceased, and the bond of that guardianship broke: people sought for and adopted the traditions of the civilisation of former ages; and their Pontiff, by associating himself with this work, deserved to give his name to the century in which he lived. . . .

"The Christian idea does not admit of the social power ending in the oppression of one individual by another. It is equally opposed to the oppression of one nation by another. Conquest cannot justify the dominion of one nation over another; for might is not right.

"Thus the Italians, by claiming their rights as a nation, and by forming a kingdom with free institutions, have not violated any one principle of religious and civil order. They found no precept in their faith as Christians and Catholics which condemned their work."

There is so much truth in these passages that some may be blinded to the errors they contain. If religion were the only guide in public affairs, it would be difficult to detect the iniquitousness of an enterprise inspired by an ardent patriotism, by indignation at unspeakable wrongs, and by hatred of a foreign absolutism. Viewing these events politically, there

is much to deceive those friends of right and freedom who apply the ordinary criterions of liberalism. It is true that parts of Italy were detestably misgoverned, and that Austria resisted any fundamental alteration in their system. Unquestionably, therefore, it was expedient that those governments should be destroyed, and this required the expulsion of the Austrians. This was what the Italians sought, and failed to accomplish, in 1848. In the new revolution, they have shifted their ground, and strengthened their hands by a new theory. The whole of Italy must act together in order to expel and to keep out the Austrians; but as the imputation of misgovernment applies only to a part, the national idea has taken the place of the political. "One nation has no right to govern another; each nation has a right to the whole of its territory." This theory, by which every State would be subverted, and the web of history unwoven,—by which civilisation would be stripped of its most powerful instrument and of its most illustrious achievements, which arrests the master race of Europe in its mission over the world, and reduces nations, as socialism reduces men, to a level of equality, in which all progress is at an end,—this theory is the argument by which the statesmen of Italy expect to overcome the resistance, or at least the reasoning, of the Pope.

In this connexion, there is a significance in the allusion to the period of Leo X. The theory of nationality is not an abstraction of universal application. The power it exercises consists in its definiteness. Its advocates do not sympathise with all separated or suppressed nationalities. They do not think of reclaiming Alsace from France. They laugh at the German patriotism of Schleswig. There is not a word for the crowd of nations held in subjection by the Magyars, whilst in Poland the national theory does more for Russia, in the form of Panslavism, than for the Poles. It is an offspring of the great revolution which overturned feudalism, aristocracy, and inequality; and it is directed against that nationality whose institutions throughout Europe are founded upon them. It is not intended that every nation should recover its independence; but that one

particular nation, which founded all the States of civilised Europe, should lose its influence. Germany, England, and Holland are the countries against which this talisman has power. An aristocracy maintained by primogeniture, corporations enjoying autonomy and immunities, the sovereign power limited by laws which no despot and no assembly are allowed to set aside,—these are the objects of the special animosity of the men whose principles, transferred to international affairs, produce the theory of nationality. They are also the characteristics by which the politics of the Barbarians differed from that which the nations of the West enjoyed under the Roman Empire.

To the ancient imperial polity—to the traditions of the civilisation of former ages—the Italian constitutionalists wish to revert. They have a legislature founded on popular sovereignty; patricians without political influence; a government which is absolute while it has a majority in one chamber, but which wields a military power that enables it to do without a parliament; and a Church which they have deprived of independence. The French constitution of 1791 is the seductive model and ideal of the whole Latin world. According to this system the principle of all sovereignty resides essentially in the nation; no person and no body of persons can exercise any authority which does not expressly emanate from it; the law is the expression of the general will. All authority comes from the people, to be concentrated in the State. No secondary authorities limit, no laws regulate, the action of the supreme will. The powers that rule the State in these arbitrary governments are dangerous to the Church in principle, and inevitably hostile to her in practice; for they are jealous of every influence besides their own, as they reject all authority which does not proceed from the uniform principle on which they rest; and there is no security and no stability in their laws, however favourable their disposition may be. An absolute parliament is less to be relied on than an absolute monarch; because where it has the will to do wrong, it has always the power. "The share of infamy," says Burke,

"that is likely to fall to the lot of each individual in public acts is small indeed, the operation of opinion being in inverse ratio to the number of those who abuse power. Their own approbation of their own acts has to them the appearance of a public judgment in their favour."

Whilst the forms of the Piedmontese system are borrowed from France, its spirit is derived from Austria; and it clothes in a popular disguise the enlightened and tyrannical liberalism of Joseph II. The whole ecclesiastical legislation, since the expulsion of the Jesuits, was an imitation of that of Austria before 1848. This was distinctly proclaimed by Cavour; and it is impossible to deny that by this example given to Italy in the Josephine and Leopoldine laws, Austria has deserved the fate which has overtaken her, and has brought it on herself by demoralising the Government and promoting the revolution. It was her mission, among the Powers of Europe, to develop a higher form of political freedom, by which not only various classes, but various nations might live in harmony together, enjoying the most complex and finished description of self-government; and at the same time to educate the Italian, Hungarian, and Slavonic races in the practice of those rights and liberties which are peculiarly Teutonic. That duty, which was the tenure of her dominion, she too long neglected; and the loss to Italian freedom by her expulsion is greater than the loss of power to Austria. Thus it has happened that at the very time when Austria redeemed her great injury to the Church, by conferring ecclesiastical liberty, she was driven out of Tuscany and Lombardy by a Power which adopted her discarded policy; and that in Hungary the very act by which she has restored autonomy, and given a constitution, has been the occasion for the Hungarians to defy her authority, and to reject her freedom, on behalf of laws, in one respect more obsolete, in another more revolutionary, than her own had ever been. In both cases the punishment came after the repentance.

Whatever the personal dispositions of the Italian statesmen towards the Church may be, however strongly their interest may enforce sincerity in their recent overtures, the nature

of the Government deprives them of credit. A people whose sovereign will is law, can have no reverence for the sanctity of engagements. If it is bound by no traditions, it can be bound by no treaties; it can give no security for the fulfilment of its promises; "people will not look forward to posterity, who never look backward to their ancestors." Like France and America, it has all the privileges and advantages of perfidy without the shame, and all the merit of actual sincerity without the scruples of honour or the troublesome necessity of keeping faith. In international transactions there is some security in the power of the other contracting parties. No such security can be found for a settlement affecting the internal government of the country. The Italian people themselves can give no reliable guarantee, and the guarantee of other powers is impossible for an act which is not so much a treaty as a law of the state. Although, therefore, these proposals have evidently been drawn up with the concurrence of the Catholic divines who are in the confidence of the ministers, and although their full execution would be not too high a price for the settlement which is desired, we cannot regard them as any thing but a snare; and if we consider how completely they contradict the Piedmontese policy, how great an anomaly such laws would be in the system, and how bitter and hostile the tone of the ministry has generally been, it is hard to believe that they are honestly proposed.

They are as follows:

"Art. 1. The Sovereign Pontiff will keep the dignity, the inviolability, and all the other prerogatives, of a sovereign, and also the precedence established by custom over the King and the other sovereigns.

"The Cardinals of the Holy Church will keep the title of Prince, and the honours thereunto belonging.

"Art. 2. The Government of his Majesty the King of Italy will place no obstacle in the way of the acts emanating from the Sovereign Pontiff, in virtue of his Divine right as Chief of the Church, and of his canonical right as Patriarch of the West and Primate of Italy.

"Art. 3. The same Government recognises the privilege of the Sove-

reign Pontiff to send his nuncios to the foreign Courts, and engages to protect them so long as they are on the territory of the State.

"Art. 4. The Sovereign Pontiff will have full liberty to communicate with the Bishops and their congregations, and reciprocally, without interference on the part of the Government. He will also convoke, in whatever place and forms he thinks proper, both councils and ecclesiastical synods.

"Art. 5. The Bishops in the dioceses, and the curates in their parishes, will be independent of all control on the part of the Government, in all that concerns the exercise of their ministry.

"Art. 6. They will nevertheless be subject to the common law in case of crimes punishable by the laws of the kingdom.

"Art. 7. His Majesty renounces all right of patronage in ecclesiastical benefices.

"Art. 8. The Italian Government renounces all interference in the nomination of the Bishops.

"Art. 9. The same Government takes the engagement to furnish the Holy See with a fixed and inalienable dotation, the amount of which will be regulated by agreement.

"Art. 10. The Government of his Majesty the King of Italy, in order that all the Catholic powers and nations may take part in the maintenance of the Holy See, will open with those powers suitable negotiations for the purpose of determining the share of each in the dotation mentioned in the preceding article.

"Art. 11. These negotiations will also have for object to obtain the necessary guarantees of what is stated in the preceding articles.

"Art. 12. On these conditions the Sovereign Pontiff and the Government of his Majesty the King of Italy will come to an understanding through the medium of commissioners appointed for that purpose."

This plan has met with little sympathy, and was hardly adverted to by the speakers in the great debate in the Piedmontese Chambers, which closed in the triumph of the ministry. In the course of the debate Ricasoli spoke as follows:

"As to Rome, the question is not only political, but it is the greatest of

modern days. France, as the friend of Italy, and a Catholic power, has for function to assist Italy in this double problem. Violent means must be set aside in a moral question; what was formerly done before councils must now be effected in the face of public opinion. Every intelligent man now well knows that religion would lose nothing by the fall of the temporal power. The formula, 'The Church free in a free State,' which had remained a mere dogma, must be developed and become the basis of an understanding; that basis has been set forth in the articles submitted to the chamber. It is not for negotiations, but for public discussion, that the ministry has destined that project. This plan has been called a long and sterile road; but I do not consider it so: if, however, it be long, there is no other. Before an institution which has endured for sixteen centuries, let us not be so hasty. The State in this project does not renounce any of its prerogatives; the times are ripe for the reciprocal liberty of the Church and of the State. As the minister of a Catholic king, I have spoken the language of a nation of believers; I have not humiliated the State. I could not address myself directly to the Pope; the Emperor, our intermediary, has not declared himself against the project; he has merely said that the Pontiff was too ill-disposed. The documents were sent to Paris by the French minister of Turin himself."

America.

The progress of events during the autumn has confirmed the belief which was created by the disasters of the summer, that it is beyond the power of the Northern States to overwhelm the resistance of the South. At no point have they obtained a decisive vantage. On the 21st of October they met with a bloody repulse at Leesburg, which was followed by the effectual closing of the Potomac by the Confederate batteries. In the west the Federal armies made no progress; and a naval expedition, which sailed October 29th, and forced the entrance of Port Royal on the 8th November, landed 15,000 men without any considerable result. At the same time, military success, even if it had been obtained, would not have been enough

to restore the Union. The possibility of compelling the seceding States to return to their old position under the constitution of 1787, depended on the existence of a Union party in the South. At first, there were many Southerners who disapproved the extreme measures of that faction which had prepared, during a series of years, the separation of the slave States, and who would have accepted terms with the North. The manner in which Mr. Jefferson Davis has neutralised this tendency, and compelled its partisans not only to give up opposition, but to contribute actively to the success of his daring scheme, appears to be a triumph of statesmanlike ability. The position he at once assumed made it impossible for the North to offer such terms as the moderate party in the South would have accepted as a security for their interests. From the first he declared the separation irrevocable; and the success of his arms soon put an end to any Union aspirations that may have been offended by the attack on Fort Sumter. An opposition has had so little foundation, so little encouragement from the policy of the North or from the progress of the war, that it has made no sign. Politicians who were not eager supporters of secession obtained high office; no measures of compulsion were used; the law has not been suspended; enormous sacrifices have been cheerfully made; and not a soldier is required any where but before the enemy.

Mr. Peyton, who left the Southern States in the *Nashville*, on Oct. 26th, describes the state of public feeling in terms which bear the stamp of truth:

"No disaffection exists in North Carolina. . . . The people of North Carolina are united and enthusiastic in their support of the Confederate Government, and are determined under no circumstances to ground their arms till the independence of the Confederacy is acknowledged by our enemy. Before the State seceded, there was in North Carolina, as in every Southern State, and as there will always be in every popular government, a divided public sentiment as to the wisest policy to be pursued for a redress of the grievances suffered at the hands of the Government of the

United States; but the proclamation of Mr. Lincoln, in contravention of all law and authority, called out 75,000 men, ostensibly to 'hold, occupy, and possess' a few forts and an armoury at Harper's Ferry,—a force so disproportioned to the object announced,—aroused the whole people to a sense of their danger, and the Act of Secession was passed by a unanimous vote of the Legislature, and was subsequently ratified by a state-convention representing the sovereignty of the people. This action occurred in the month of April last; and since that time I have never heard, in my extensive association with the people, a single expression of opinion in opposition, but, on the contrary, a universal sentiment of concurrence in its propriety, justice, and necessity.

"Before I left America, the State had sent to the seat of war in Virginia, fully armed and equipped, 33,000 volunteer troops, infantry and riflemen, and a splendid regiment of cavalry, numbering 1094. There were 6000 troops on the State coast, and camps of instruction established at Raleigh, Ridgeway, and Gareysburg; and the number of volunteers still offering was so great that General Martin, Commander-in-chief of the State forces, under orders of his Excellency the Governor, had issued a proclamation informing the people that no further troops were needed or could be received."

An English traveller bears exactly similar testimony:

"A few words on coercion generally in the Confederate cause. From ample experience I completely deny it. I was in all the States Mr. Johnson mentions, and, so far from there being coercion, I can bear my testimony that there never was a more united people, nor a more fixed determination in any people to achieve their independence. A gentleman of Louisiana said to me, 'The Northerners do not know what they have undertaken; to succeed, it must be a war of extermination, not only of every man, but of every woman and child.' To judge of the unanimity of the feeling in the States Mr. Johnson alludes to, it is only needed to pass through them. Secession flags flying from every house, women and

children cheering and waving flags to the trains passing filled with soldiers, and from every part sending clothes and supplies to their relations and friends in the army. I travelled with one gentleman who had charge of 100 boxes for one regiment from Alabama; and I know myself that all the railway-dépôts were encumbered with similar contributions, and these not so much luxuries, but real home-made necessities, such as knitted goods, home-spun clothes; in which patriotic work most of the Southern women are now occupied.

"I cannot give a better proof of the absence of coercion, and a more forcible instance of the confidence of the people in the Government, than the fact that the Confederate notes are taken at par throughout the whole Confederacy. Let Mr. Johnson contrast this with the fact of the Washington Bank having refused the Northern Treasury notes, and the report that on this account they are to be suspended as a disloyal establishment.

"While in the Northern States the Government have suspended the *Habeas Corpus*, suppressed trial by jury, interfered with the liberty of the press, and imprisoned extensively both men and women for political offences, even on suspicion, the Southern Government have maintained both the *Habeas Corpus* and trial by jury. . . . It is impossible to travel in their States without recognising the admirable law and government that they have maintained since their separation, or to entirely withhold sympathy from a people who, cut off, or nearly so, from all foreign resources, with naught but their own energies and will, have hitherto successfully maintained a defence of the independence they are determined to achieve.

"With these feelings, I deeply deplore the continuance of this contest, so pregnant with disasters to the combatants, so fruitful of loss and misfortune to the world entire. It is unfortunately now continued by the North under an erroneous idea that there is a strong Union feeling still existing in the Southern States. Alas, the wish with them is father to the thought, which has otherwise no basis. It only needs to go there to find out that Union feeling has ceased

to exist, and has been replaced by a bitterness of hatred that I could not have credited had I not personally become convinced of it.

"There is another equally fallacious aid that the North have counted on, namely, disaffection, not to say worse, among the slave population,—the facts being, on the contrary, that they never were in a more peaceful condition. Instead of an element of weakness in the Southern cause, it is proved to be one of strength, as the whole tillings and culture of the country go on uninterrupted by the drain of the white population to the scene of war. In the South their limit is, not as to men in the army, but in number of arms to equip them. . . . One of their Government said to me, 'We shall look to England to be our workshop and our carriers; it is not our interest to be either a manufacturing or a naval power. We therefore are surprised, in these days of independence of nationalities, that you do not give us encouragement to accomplish ours, by which you will so largely profit.' "

The landing of the expedition near Beaufort in South Carolina, and the occupation of the barren coast of Cape Hatteras, failed to awaken any Northern sympathies. Before the end of November a very sensible person in New York had arrived at this conclusion:

"I think that the movement will cost a great deal more than it will come to, and that it will eventually be a failure. We are already able to judge that the North will not find any Union element in that region, and to foresee that the effect of the expedition will be to increase and exasperate the disunion element. It seems to me that the North will also be disappointed as to deriving any strength or assistance from the Negroes in that region, except, perhaps, from the use of a few hundred labourers; and I think that the Negro element will, on the contrary, become an intolerable burden and impediment to the North if the Negroes should come in in large numbers. They must be fed and governed, and I have no faith in feeding and governing them without the establishment of slavery. We are likely enough to see the truth of this maxim — if the North abolish

slavery, the North will again establish it. I regard the invasion of the South as a military error."

The Washington Government has discovered at last the futility of hopes based on the existence of these sympathies, and the hopelessness, therefore, of a contest in which they have neither political nor military prospects of success. This conviction obliges them to look elsewhere for the means of coming with advantage, or at least with honour, out of the war; and here two courses have suggested themselves, which have divided the Unionists as decidedly as the Separatists are united.

The Republican party is composed of two elements very nearly allied,—the party of "manifest destiny," which desires the exclusion of England from the continent, and the Abolitionists. Their point of union is the theory that the central power, as the organ of the popular will, enjoys unlimited authority. They are the consistent Democrats, because they tolerate no barriers to the sovereign power, and insist upon the unfettered freedom of the people represented in the unfettered power of its Government. A divided rule, intermediate authorities, moral unities, corporations, local powers, joint rights, and the protection of minorities, are things abhorrent to this system. It makes the central power absolute over the several States, and over the rights of individuals, and originates all those vexatious and inquisitive measures which are so repugnant to our notions of self-government and freedom. It is obvious, therefore, why the only European power that has adopted the cause of the North is Russia, why the Democratic party are its friends in England, and why it relies on the sympathy of France.

In these things, which are the elementary principles of Governments, the South offers the strongest contrast. Its central Government is much stronger than that of the old Union, for the very reason that it is not absolute. Its powers are definite and limited; but within its limits it is independent of popular caprice. The rights of the several States and the various classes and interests are beyond the control of the Confederate Government; but it is

not the toy or the engine of the collective will of the people. The President is elected for a longer term, and instead of being a nonentity and the creature of a party or the victim of a compromise, the ablest and most determined public man was chosen, and he visibly governs his country with a strong will. This higher and freer organisation of the South is not the merit of its leaders, but the result of the circumstances of the community. The boundary of the Southern Confederacy is accurately drawn along the limits of slavery and freedom, not because the preservation of slavery is at stake, but because slavery produces that form of society in which the State must be constructed on the political principles of Montgomery, not on those of Washington. Slavery is opposed to Democracy; first, because it establishes inequality among men, and secondly, because it accustoms men to rule other men who cannot govern themselves. That tyranny is the consequence is a general truth; but in the present conflict slavery has exhibited only its beneficial influence on public affairs. The gradations in the population—slave-owners, mean whites, and slaves—at once resolves society into aristocracy.

In spite, therefore, of slavery, there is a natural affinity between the Southern Confederacy and England; whilst the absolute Democracy of the North is hostile to both by nature, and by its twofold tendency towards annexing the English possessions and emancipating the blacks. Yet these two principles, in one respect, contradict each other. Antagonism to slavery ought to be a bond of union with this country, not merely with a particular section. Accordingly, it is on this point that the Republicans have split. One party, led in the Senate by Charles Sumner, who, beyond any American statesman, enjoys the friendship of English public men, insists on the principle of abolition, ostensibly the cause of the war, and assuredly the strongest hold on European sympathy. Another, represented by the Secretary of State, desires not to go to extremities against the South, but to put in the foreground the cause of the liberty and glory of America. This division, extending to the administration, and distracting a President

unequal to so arduous a situation, has paralysed the Government, and diverted the public feeling from the general cause by the excitement of new passions. It is clearly described in a speech delivered by Mr. Sumner, at New York, in which he said:

"You have the consciousness of a good cause, which in itself is an army. And yet thus far, until within a few days, the advantage has not been on our side. The explanation is easy. The rebels are combating at home on their own soil, strengthened and maddened by slavery, which is to them an ally and a fanaticism. More thoroughly aroused than ourselves—more terribly in earnest, with every sinew strained to the utmost—they freely use all the resources that God and nature put into their hands, raising against us not only the whole white population, but enlisting the war-whoop of the Indians, cruising upon the sea in pirate ships to despoil our commerce, and at one swoop confiscating our property to the extent of hundreds of millions of dollars, while all this time their 4,000,000 slaves, undisturbed at home, are freely contributing by their labour to sustain the war, which without them must soon expire. It remains for us to encounter the rebellion calmly and surely by a force superior to its own. But to this end something more will be needed than men or money. Our battalions must be reinforced by ideas, and we must strike directly at the origin and mainspring of the rebellion. I do not say now in what way or to what extent, but simply that we must strike. It may be by the system of a Massachusetts general—Butler; it may be by that of Fremont; or it may be by the grander system of John Quincy Adams. Reason and sentiment both concur in this policy, which is only according to the most common principles of human conduct. In no way can we do so much at so little cost. To the enemy such a blow will be a terror, to good men it will be an encouragement, and to foreign nations watching this contest it will be an earnest of something beyond a mere carnival of battle. There has been the cry, 'On to Richmond,' and still another worse cry, 'On to England.' Better than either is the cry, 'On to freedom.' Let this be heard

in the voices of your soldiers; ay, let it resound in the purposes of the Government, and victory must be ours. By this sign conquer. It is with no little happiness that I now announce that this cry is at last adopted by the Government. You will find it in the instructions from the Secretary of War, dated War Department, October 14th, 1861, and addressed to the general commanding the forces which have just effected a successful landing in South Carolina. Here are the important words: 'You will, however, in general avail yourself of the services of any persons, whether fugitives from labour or not, who may offer themselves to the National Government; you will employ such persons in such services as they may be fitted for, either as ordinary *employés*, or, if special circumstances seem to require it, in any other capacity, with such organisation, in squads, companies, or otherwise, as you deem most beneficial to the service. This, however, is not to mean a general arming of them for military service. You will assure all loyal masters that Congress will provide just compensation to them for the loss of the services of the persons so employed.' These words have not the positive form of a proclamation; but analyse them, and you will find them full of meaning. First, martial law is hereby declared; for the powers committed to the discretion of the general are derived from that law and not from the late Confiscation Act of Congress. Secondly, fugitive slaves are not to be surrendered. Thirdly, all coming within the camp are to be treated as free-men. Fourthly, they may be employed in such service as they may be fitted for. Fifthly, in squads, companies, or otherwise, with the single limitation that this is not to mean 'a general arming of them for military service.' And, sixthly, compensation, through Congress, is promised to loyal masters, saying nothing of rebel masters. All this is little short of a proclamation of emancipation. . . . As such, I do not err when I call it the most important event of the war—the more important because it is understood to have the deliberate sanction of the President as well as the Secretary of War, and therefore marks the policy of the administration. That

this policy should be first applied to South Carolina is just. As this great rebellion began in this State, so should the great remedy."

The best comment on this oration is afforded by the advice given to the Union by the most ardent of its English supporters.

"We hold . . . that if the Federal Government set itself honestly and resolutely to sustain the integrity of the Union, it must, willingly or unwillingly, and ultimately, if slowly, proclaim a crusade against slavery; calling to its banners the Negroes of every State invaded, and rewarding their alliance with instant, irrevocable freedom. . . . The inaction or ill-success of the Federal forces at nearly all points has evinced something more than incompleteness of preparation. It has betrayed also, the paralysis of divided councils and uncertain purposes. It has shown that the commanders have been afraid to move, because forbidden to employ their natural and most efficient auxiliaries."

General Fremont represented this policy in the field, and the Secretary of War in the Cabinet. The former, as the candidate of the Abolitionists in 1856, had given the chief impulse to the Secession movement, and when he obtained the command of the army of the Mississippi, he issued on his own authority an Abolitionist proclamation, which was disavowed by the President. It was determined to get rid of the inconvenient general, whose position in the west, joined to his popularity in the country, and especially with his own troops, rendered his continuance in command dangerous to a Government which was unwilling to take the irretrievable step of emancipating the Negroes. Various charges of insubordination and military incapacity came to the support of the President in this design. The Secretary of War visited the western army, and the adjutant-general drew up a report on Fremont's conduct, which was published in order to justify his dismissal, which he received on the 2d November, at a time when his outposts were engaged. The excitement among the officers was very great, and a disposition was manifested to support Fremont against the Federal Government. The general put a stop to this proposal; but he

appears to have acted in such a way as not to allay the irritation or to sacrifice any portion of the attachment to his person, which, in case of a crisis between the opposite views of the Republican party, might yet be of service to him. He retired to New York, where he was surrounded by his friends, but deprecated, it is said, any demonstration for the present.

There was, however, nothing to restrain the zeal of his partisans in the west. At St. Louis a testimonial was resolved upon and a circular issued which declares that "the noble champion of a free nation has momentarily fallen a victim to the selfish intrigues of a corrupt clique. A weak Government has torn from the grasp of the heroic Pathfinder his sword, hitherto unsullied. . . . Instead of the sword torn from his grasp, another one must be placed in his hand by the people, to be wielded for the destruction of falsehood and intrigue, and for the reorganisation of a great and free country." No responsible names appear to be attached to this performance; but at a great meeting of Germans at Cincinnati, held twenty-four days after Fremont's recall, the Rev. Mr. Conway used the following strong language:

"I certainly have felt the heavy hand of slavery enough to know that this Government is not strong enough to preserve the Union and African slavery also; and while this administration is now bending itself to that impossible and undesirable work, the people will be in this conflict like Issachar of old, a strong ass crouching between two burdens,—between an imbecile administration on the one hand, and a gigantic rebellion on the other. . . . Now that the standard of liberty has been unfurled by Fremont over the contending parties,—a higher standard than Stars and Stripes or stars and bars,—how wretched and despicable appear the standards raised by the pigmy generals who have gone out warm from the wing of the administration! . . . What think you of Dix, down in Wise's district, proclaiming that his army is under strict orders to guard slavery, even to the treasonable extent of refusing to take into their lines, whether belonging to traitors or 'any other man,' those black corn-producers and earthwork-

builders? If there is any man who does not know it to be a mean, malignant lie to say that fugitive slaves have been spies against us, he should be placed as soon as possible in the Asylum for Idiots at South Bottom. . . . This, then, Americans, is the infamous crawling, sneaking policy which replaces the electric watchword sounded by Fremont for this great nation."

Mr. Conway then proceeded to show that "a military conquest over the South, preserving slavery, would be a subjugation of the North as much as the South. From thenceforth, he declared the nation must leave the peaceful progress of its destiny, to sit and hold the rebellious States,—turning into a military Government, doing nothing but watching the monster, whose soul is slavery, and see that it does not poke its ugly head out again, and coil about the Northern States again."

General Halleck, Fremont's successor, issued an order—which is a triumph for the South—that slaves are not to be admitted into the camp, as it was found that they carried valuable information to their masters.

It is understood, and the belief is confirmed by Mr. Sumner's speech, that the Secretary of War is supported in the Cabinet by two ministers, whilst three side with Mr. Seward. In all absolute governments the several ministers are nominated by the head of the State; they have no other bond of union and no other condition of their continuance in office. In a constitutional government the ministers are necessarily the leaders of the party which has the majority. As they are raised to power by their parliamentary importance, and not by their administrative skill or experience, they stand or fall together, and are jointly answerable for their several acts. The principle of ministerial responsibility renders this necessary, as well as the nature of that which Macaulay defined to be government by speaking. A prime-minister can only bear the burden of the acts of men who are in his confidence. But in absolute governments the sovereign is not protected by the barrier of ministerial responsibility. He himself bears the consequences of the faults of his servants. In monarchies he loses the support of public

opinion, while in America the President is himself liable to impeachment. Washington, Paris, and St. Petersburg exactly correspond in this respect. At Berlin the system is not very different; and at Vienna a law for the responsibility of ministers has been impracticable so long as the ministry did not form a council with its own president. The expedient of making an arch-duke preside is only an artifice to prolong the transition. For just the same reason the liberal party in England derives its ministers naturally from the parliamentary celebrities; and in 1812 the Whigs refused to coalesce with Lord Wellesley and Mr. Canning, in spite of the most advantageous offers, because it was proposed that a part of the administration should be nominated by one party, part by the other, without consultation, and therefore contrary to the principle that the master in Parliament should be master in the Cabinet. On the other hand the Tory party, less sensitive to the strict letter of the theory of self-government, have constantly surpassed their adversaries in administration, by appointing to high offices men of business rather than men of parliamentary ability. In other governments this difference produces still greater contrasts. Instead of a ministry composed of homogeneous materials, the chief members of which came to office inevitably upon the victory of their party, the head of a State not subject to this law is naturally induced to select for his ministers men of the utmost diversity of opinion. In this way he satisfies the various shades of party among those to whom he owes his elevation, or whom he wishes most earnestly to conciliate; and at the same time he preserves his own independence, and escapes the predominant influence of genius, by balancing one party against the other, and presiding over divided councils. Thus Washington's administration, the ablest ever known in America, included Hamilton and Jefferson, statesmen more widely opposed to each other in their political sentiments than any two men now in public life in England; and in the diary of their broils, which (with an indiscretion to which we owe most interesting and suggestive revelations) has been pub-

lished from Jefferson's papers, it is easy to see that the President rejoiced in their hatred of each other, as, next to their ability, the surest support of his declining authority. In the present instance, it appears to be the difference between Mr. Seward and Mr. Cameron that gives Mr. Lincoln his importance; and it is not surprising that he should have incurred the charge of weakness in his reluctance to take part entirely with either.

Simultaneously with the recall of Fremont, McClellan succeeded Scott as Commander-in-chief. He announced, in a letter to the citizens of Philadelphia, that the war cannot be long, but may be desperate. In the same hopeful strain Mr. Cameron spoke at New York, and General Thomas declared: "We now possess an army—and I have surveyed it in every part with a military eye—such as never was marshaled before since the foundation of the world. That army will be found irresistible; and when we move, as move we will, it will pour over that whole Southern country like the sea."

At the time when Fremont's recall was resolved on, Mr. Seward's policy of effecting a diversion from the conflict—in which success seemed impossible, and would be a great embarrassment—was already in the ascendant. Taking advantage of the distracted state of America, the European powers had determined on an intervention in Mexico, where their subjects had been ill-treated, and where anarchy had reached the highest point by the victory of the liberal party, which had the support of the United States. A convention was signed on the 31st October between France, Spain, and England, in which they pledged themselves to seek no acquisition of territory, but only to restore order and obtain reparation. Under these circumstances the invitation to the Government at Washington to take part in the expedition must have been felt as an insult. The ill-feeling against England was increasing all the summer without good reason. The general opinion of the English public was that the South was not justified in seceding, and that the North was wasting men and money in attempting to subdue it. Even this was miscon-

strued. "If," says a respectable American periodical, "English opinion decided that our nationality must henceforth be divided, it seems also to imply that we ought also to divide according to terms dictated by the Seceders."

Of greater importance was the phantom of a Conservative reaction in England. The discomfiture of the English democracy awakened very sanguine expectations among the Tories, which were rebuked by Lord Stanley in a speech which is by far the greatest exhibition of his talents that we have witnessed, but were promulgated with extraordinary imprudence by the greater authority of Sir Edward Bulwer Lytton. The error of this view was to suppose that the separation of the South would diminish the aggressive power of the North, and that the failure of the first of Democracies would play into the hands of Toryism. The last hope has been already dispelled. The weakening of Radicalism in the country was most of all things needed to give to the Liberal party a broad and firm basis. Their dependence for office on the admirers of America and the sycophants of France was the secret of their weakness, and of the hopes of their opponents. That great blot which Mr. Disraeli and his friends were so skilled to hit once removed, the Opposition loses its best opportunity; and it has already tendered its patriotic support to the Government in a spirit very different from that with which it viewed the war against Russia. The aggressiveness of the North has already refuted the belief in its weakness. Mr. Horsman said very justly in his speech at Stroud:

"The separation will give strength to the Northern States. They will start up a new empire. The disasters of the present day having opened their eyes to the unsafe parts of their constitution, they will form a stronger government, when the law will not be the American law, but the old English law; when the few will govern, and the many obey, instead of every man governing and no man obeying."

Much might be urged by Mr. Seward in support of his scheme. The fratricidal war promised no triumphs,

and the spoils of Canada were more inviting. From the commencement, the annexation of that great dependency has been a tradition of American policy; and it was only averted by that enlightened measure which inaugurated in our Colonies the policy of Catholic Emancipation. Whilst no other State could be admitted into the Union without the consent of most of the others, a place for Canada was expressly reserved. It was never so desirable as now, when the South is gone; never so feasible as now, when there is an army on foot such as no purpose but the preservation of the Union could ever have collected. The Southern war supplies the means of conquest, and the conquest would be the means of retrieving the loss of the South. During the winter months Canada would be all but inaccessible from England; and ever since the visit of Prince Napoleon it was known that the North found strong sympathies at Paris, and that a war between England and America would be the best possible opportunity for the execution of the ambitious designs of the Emperor of the French.

About the beginning of September two English subjects were arrested on suspicion of treachery, but were soon after released. Mr. Seward then issued a circular, desiring the Governments of the frontier States to provide fortifications against any emergency that might arise. The governors did not act upon his order.

On October 14th Lord Lyons wrote to Mr. Seward, complaining of the arrest. The despatch, written on orders from home, and both inadequate and untimely, contained the following passage:

"So far as appears to her Majesty's Government, the Secretary of State of the United States exercises, upon the reports of spies and informers, the power of depriving British subjects of their liberty, of retaining them in prison, or liberating them, by his own will and pleasure.

"Her Majesty's Government cannot but regard this despotic and arbitrary power as inconsistent with the Constitution of the United States, as at variance with the treaties of amity subsisting between the two nations, and as tending to prevent the resort of British subjects to the United

States for purposes of trade and industry.

"Her Majesty's Government have therefore felt bound to instruct me to remonstrate against such irregular proceedings, and to say that, in their opinion, the authority of Congress is necessary in order to justify the arbitrary arrest and imprisonment of British subjects."

In the course of his reply Mr. Seward said:

"The British Government have candidly conceded, in the remonstrance before me, that even in this country, so remarkable for so long an enjoyment by its people of the highest immunities of personal freedom, war, and especially civil war, cannot be conducted exclusively in the forms, and with the dilatory remedies, provided by municipal laws, which are adequate to the preservation of public order in a time of peace. Treason always operates, if possible, by surprise; and prudence and humanity therefore equally require that violence concocted in secret shall be prevented, if practicable, by unusual and vigorous precaution. I am fully aware of the inconveniences which result from the practice of such precaution, embarrassing communities in social life, and affecting, perhaps, trade and intercourse with foreign nations. But the American people, after having tried in every way to avert civil war, have accepted it at last as a stern necessity. The chief interest, while it lasts, is not the enjoyments of society or the profits of trade, but the saving of the national life. That life saved, all the other blessings which attend it will speedily return, with greater assurance of continuance than ever before. The safety of the whole people has become, in the present emergency, the supreme law; and so long as the danger shall exist, all classes of society equally—the denizen and the citizen—cheerfully acquiesce in the measures which that law prescribes."

This unquestioned diplomatic victory strengthened the hands of the American Government, and increased its determination. In England the effects of the blockade began to be threatening; the commercial community was growing impatient; the anger of the Americans provoked a natural

indignation; and there was a general sense that the time was come to make up for old humiliations, and to recover the attitude of dignity and self-reliance which has long been wanting in all our dealings with the Americans. The state of public feeling was such, that the first false step on their part was certain to create an agitation among the commercial classes, supported by all the aristocratic and all the patriotic sentiments of the country, which no government could control. The national pride, so often wounded by submission to America, was prepared to resent any insult that by its deliberateness, or by the approbation it received, should show the hatred and defiance of the North, even though there were no breach of international law; and England would have been as eager to avenge her honour as to defend her rights.

On the 27th November the West-India steamer *La Plata* brought the news that the Americans had given an opportunity of doing one or the other. The officers of the United States frigate *San Jacinto* met at Havana two Southern envoys, and ascertained from them that they were waiting to take their passage in the royal mail-steamer *Trent* to St. Thomas. On the 8th November the *Trent* was stopped in the Bahama Channel by the *San Jacinto*, and Messrs. Mason and Slidell, the two envoys, forcibly carried on board the American vessel, to be thrown into prison at Boston. Their despatches had been concealed, and were sought for in vain.

The telegram announcing the seizure caused, as might be expected, the indignation of Liverpool to boil over; on the same day a meeting was held which passed a resolution that it was the duty of Government to assert the dignity of the British flag by demanding reparation. It was urged on the other hand, that there was no proof of an illegal act having been committed, but the sense of insult was allowed for the time to silence the consideration of the law. On further examination of the facts, it was found that nothing could justify the seizure of the commissioners without carrying the vessel to port for judgment; and that if the vessel had been taken into port, the seizure could not have been justified. A foreign journal, conducted by

one of the first of living jurists, states the case in terms which make it needless to cite the views of our public men, and of our best legal authorities, who have spoken on the subject.

"The right of the American man-of-war to search the *Trent* cannot be questioned; nor would it have constituted a breach of international law had any arms or despatches connected with the enemy been seized. The same remark holds good with respect to the capture of officers or soldiers in the service of the Confederate States. But there is not a single clause in the entire code of international law to extend the exercise of the same privilege to the persons of political negotiators. And justly so. If the criterion of contraband must be sought in the injurious character of the article, the negotiators of the one party, it will be easily admitted, cannot be set down as necessarily detrimental to the other. They may be so; but the thing not being a *prima facie* case, they have never been included in the list of objectionable persons. It is just possible that their object is not connected with the war, or, if so, that it is directly intended for the mediation of another power in favour of peace. Hence the reception of such ambassadors has been always considered the legitimate right of neutrals; and it is only after the hostile character of the State to which they are sent has been fully established, that the protection due to the envoys must be considered to have lapsed. Supposing, for instance, the *Trent* to have been taken to an American port, no American court would have been entitled to condemn the ship as long as England maintained her neutrality. As it is, the breach of right and justice seems to be so flagrant as to compel the English Government to insist upon the most complete satisfaction. On the other hand, we do not believe that in common equity the American Government can refuse to comply with the demand. They will probably find it but just to declare that the captain of the *San Jacinto* acted without instructions, and that the prisoners shall be set at liberty and receive an adequate compensation for the interruption of their journey. Still, even though a rupture may be avoided for the moment, the ill-feeling that has long

existed between England and America will derive fresh nourishment from the occurrence, and perhaps lead to lamentable consequences in the future."

Mr. Bright, speaking at Rochdale on the 4th December, condemned the seizure as both impolitic and bad, and did not defend its legality; and the defence set up by American writers has so completely failed, that the friends of Mr. Seward have declared that the act was done without orders, and would not be approved. It has been shown that during the period of our utmost maritime predominance and presumption, when our claims and our violence repeatedly involved us in war, we never committed an outrage such as that we have now suffered.

Our Government instantly demanded of the Government at Washington the surrender of Messrs. Mason and Slidell; issued proclamations forbidding the export of gunpowder, arms, and materials of war; ordered 12,000 men to Canada; and proceeded to equip the fleet, supported by great willingness on the part of the sailors of the Reserve.

In America, the act of Capt. Wilkes the commander of the *San Jacinto*, was received with great applause. It was believed that in exhibiting so much spirit he had not transgressed the law; and it was expected that England would have no inclination to go to war in a very doubtful cause. Captain Wilkes himself also averred that he had consulted the authorities, and had observed the spirit of international law; and claimed credit for having generously refrained from seizing the ship in which the commissioners sailed. But when he ventured on this legal statement at a public dinner, he was rebuked by a Boston judge. "There are occasions," said Judge Bigelow, "when a man does not want to look into law-books to ask counsel, or consult judges upon his duty. His heart, his instinct, tells him what he ought to do." He went on to say that he had formed no opinion on the legal merits of the case; but that they could not affect the merit of the officer, or deprive him of the approbation of his country. Such being the state of feeling in America, the Government could not have rejected the responsibility of the act without

great danger. When Congress met, they voted thanks to Capt. Wilkes; and the Secretary of the Navy reported as follows:

"The prompt and decisive action of Captain Wilkes on this occasion merited and received the emphatic approval of the Department; and if a too generous forbearance was exhibited by him in not capturing the vessel which had these rebel enemies on board, it may, in view of the special circumstances, and of its patriotic motives, be excused; but it must by no means be permitted to constitute a precedent hereafter for the treatment of any case of similar infraction of neutral obligations by any foreign vessels engaged in commerce or the carrying trade."

Mr. Jefferson Davis addressed the Southern Congress on the 18th November. The following passages give an idea of his tone and position:

"Abundant yields have rewarded the labour of the agriculturist, while the manufacturing industry of the Confederate States was never so prosperous as now. The necessities of the times have called into existence new branches of manufactures, and given a fresh impulse to the activity of those heretofore in operation. The means of the Confederate States for manufacturing the necessities and comforts of life within themselves increase as the conflict continues; and we are gradually becoming independent of the rest of the world for the supply of such military stores and munitions as are indispensable for war. . . . After seven months of war, the enemy have not only failed to extend their occupancy of our soil, but new States and territories have been added to our Confederacy; while, instead of their threatened march of unchecked conquest, they have been driven, at more than one point, to assume the defensive, and upon a fair comparison between the two belligerents as to men, military means, and financial condition, the Confederate States are relatively much stronger now than when the struggle commenced.

"Since your adjournment, the people of Missouri have conducted the war in the face of almost unparalleled difficulties, with a spirit and success alike worthy of themselves and of the great cause in which they are struggling.

Since that time, Kentucky, too, has become the theatre of active hostilities. The Federal forces have not only refused to acknowledge her right to be neutral, and have insisted upon making her a party to the war, but have invaded her for the purpose of attacking the Confederate States. . . . As long as hostilities continue, the Confederate States will exhibit a steadily-increasing capacity to furnish their troops with food, clothing, and arms. If they should be forced to forego many of the luxuries and some of the comforts of life, they will at least have the consolation of knowing that they are thus daily becoming more and more independent of the rest of the world. If, in this process, labour in the Confederate States should be gradually diverted from those great southern staples, which have given life to so much of the commerce of mankind, into other channels, so as to make them rival producers instead of profitable customers, they will not be the only, or even the chief, losers by this change in the direction of their industry.

"Although it is true that the cotton supply from the Southern States could only be totally cut off by the subversion of our social system, yet it is plain that a long continuance of this blockade might, by a diversion of labour and investment of capital in other employments, so diminish the supply as to bring ruin upon all those interests of foreign countries which are dependent on that staple."

Whilst the seizure and imprisonment of his commissioners inspire the Southern President with increased confidence, the Message of Mr. Lincoln, which is dated 3d Dec., makes no mention of them. The following passages are directed against England:

"A nation which endures factious domestic divisions is exposed to disrespect abroad, and one party, if not both, is sure, sooner or later, to invoke foreign intervention. Nations thus tempted to interfere are not always able to resist the counsels of seeming expediency and ungenerous ambition, although measures adopted under such influences seldom fail to be unfortunate and injurious to those adopting them. . . . Since, however, it is apparent that here, as in every other state, foreign dangers necessarily attend domestic

difficulties, I recommend that adequate and ample measures be adopted for maintaining the public defences on every side, while, under this general recommendation, provision for defending our coast-line readily occurs to the mind. I also, in the same connexion, ask the attention of Congress to our great lakes and rivers. It is believed that some fortifications and dépôts of arms and munitions, with harbour and navigation improvements at well-selected points upon these, would be of great importance to the national defence and preservation."

The following proposal, while it shows how great a change has taken place in a country where frequent modification of laws was a leading principle, is also characteristic of democracy in its despotic features:

"I am informed by some, whose opinions I respect, that all the acts of Congress now in force, and of a permanent and general nature, might be revised and rewritten, so as to be embraced in one volume, or at least two volumes of ordinary and convenient size; and I respectfully recommend to Congress to consider the subject, and, if my suggestion be approved, to devise some plan, as to their wisdom shall seem most proper, for the attainment of the end proposed." When he proceeds to say, "We have some general accounts of popular movements in behalf of the Union in North Carolina and Tennessee," it is obvious that he has no real confidence in them. The question at issue is forcibly and truly described as follows:

"It continues to develop that the insurrection is largely, if not exclusively, a war upon the first principle of popular Government—the rights of the people. Conclusive evidence of this is found in the most grave and maturely-considered public documents,

as well as in the general tone of the insurgents. In these documents we find the abridgment of the existing right of suffrage, and the denial to the people of all right to participate in the selection of public officers, except the legislative body, advocated with laboured arguments to prove that large control of the Government in the people is the source of all political evil. Monarchy itself is sometimes hinted at as a possible refuge from the power of the people. In my present position I could scarcely be justified were I to omit raising a warning voice against this approach of returning despotism."

At the same time the Secretary of War gives the military force at 660,000 men, the Secretary of the Navy states that there are 264 vessels, armed with 2557 guns, and manned by 22,000 men; while the Secretary of the Treasury estimates the expenses of the year ending in July 1862 at 109,000,000*l.* sterling: 26,000,000*l.* to be raised by taxes; 40,000,000*l.* already borrowed; and 43,000,000*l.* still to be borrowed.

Since this difference arose, the French press has been ominously favourable to the claims of England, whilst America has received encouragement from Prince Napoleon. A war between the two countries at a time when the success of the democratic party paralyses the Prussian government, when Hungary is kept down by force, and Italy ready to attack Venetia, is the one thing required to open the way to the conquest of the Rhine. The year closes with gloomy prospects for all countries; whilst, at home, the death of the Prince Consort in this time of need combines with the threatening calamities to strengthen the attachment of the nation to the Queen.